TOWN OF WAYLAND

WARRANT

With Report of the Finance Committee

2005 ANNUAL TOWN MEETING

Thursday, April 28, 2005 7:45 P.M.
Wayland High School Field House

2005 SPECIAL TOWN MEETING

Wednesday, May 4, 2005 8:00 P.M.
Wayland High School Field House

ANNUAL TOWN ELECTION

Tuesday, April 26, 2005

Precincts 1 and 4	**Town Building Gymnasium**
Precincts 2 and 3	**Wayland Middle School Gymnasium**

VOTING HOURS: 7:00 A.M. to 8:00 P.M.

www.wayland.ma.us

NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	John Senchyshyn
Title:	Human Resources Director/Assistant Executive Secretary
Office Address:	41 Cochituate Road, Wayland MA 01778
Phone Number:	(508) 358-3623
Fax Number:	(508) 358-3627
TDD:	(508) 358-0194 or 911
Days/Hours Available:	Tuesday-Friday, 8:00 a.m. to 4:00 p.m. Monday, 8:00 a.m. to 7:00 p.m.

Individuals who need auxiliary aids for effective communication in programs and services of Wayland are invited to make their needs and preferences known to the ADA Compliance Coordinator. A minimum of fourteen days' notice is required.

This notice is available in large print and on audio tape from the ADA Compliance Coordinator.

TOWN OF WAYLAND

2005 ANNUAL AND SPECIAL TOWN MEETING WARRANT

With Report of the Finance Committee

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ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on these warrants, they will be held on the following dates, subject to Town Meeting approval:

May 2	- Monday
May 4	- Wednesday
May 5	- Thursday

and thereafter, as may be necessary, on Mondays, Wednesdays, and Thursdays as Town Meeting directs.

If you have any questions about the Articles, please attend **the Warrant Hearing on Monday, April 25, 2005, at 8:00 P.M.** at the Town Building. You may also call the Executive Secretary's office at (508) 358-3621 before Town Meeting.

NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at Happy Hollow School. It contains the agenda of subjects to be acted upon; i.e., the articles.

By state law, no action at the Town meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion at Town meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action Town meeting might take under an article, you should plan to attend the Town meeting.

NOTICES

The **Wastewater Management District Commission** will hold a hearing on April 28, 2005, at 7:00 p.m. at the Wayland High School Field House. The hearing is being held pursuant to the requirements of Chapter 461 of the Acts of 1996, Section 7(f). The hearing will present information relative to the capital budget and program. There will also be a meeting immediately afterward pursuant to the requirements of Section 7(a) of said Chapter 461. The second hearing will present information relative to fees, rates and charges.

TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document, "The Moderator's Rules and Regulations Governing Wayland's Town Meetings" prepared by the Moderator and included as part of this warrant booklet (Appendix A).

QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are decided by a majority vote.

NO SMOKING NOTICE

Voters are reminded that there is no smoking permitted on school grounds.

REPORT OF THE FINANCE COMMITTEE

To the Residents of Wayland:

The Finance Committee (FINCOM) is pleased to present the Report of the Finance Committee and the 2006 operating and capital budget recommendations. Wayland, like other communities in Massachusetts, continues to face the challenges of ongoing lower levels of state funding, higher wage and benefit costs, and lower new growth. Over the past several years Wayland has been able to manage through these challenges with the use of free cash to balance its operating budgets. However, the cumulative effect of declines in state funding has exceeded over $2 million in the last 4 fiscal years. This coupled with the higher wage and benefit costs requires that Finance Committee submit the 2006 operating budget with a $2.3 million override. The FINCOM believes this override is necessary to maintain the level of services and quality of education required by the residents. Without this override the town would be forced to incur lay-offs, primarily in public safety and schools, and would experience diminishment of services in all other departments, including hours of operation. This report will highlight some of the challenges facing the Town in balancing the operating budget under the constraints of Proposition 2½.

This report will also describe the Finance Committee's role as defined in the Code of the Town of Wayland as well as our mission statement and financial strategy. Additionally, this report details the budget process, reviews expenses and revenues for the upcoming fiscal year 2006 (FY06) and presents a 5-year capital plan. The report concludes with a discussion of Wayland's financial trends and the resulting impact on future budgets.

THE COMMITTEE

The Wayland Finance Committee is comprised of seven residents who are appointed by the Board of Selectmen. The members' three year terms are staggered which has allowed for a mix of new and more experienced members. Meetings are normally convened on Monday evenings and prior notice is posted on the Town Building bulletin board and web site. Our meetings are open to the public and include a public comment period. Residents wishing to offer public comment or to observe are welcome.

ROLE

The Code of the Town of Wayland charges the Finance Committee with two primary responsibilities. The Committee is required to prepare and present the Omnibus Budget (the Town's operating and capital budget), which appears as an article in the Annual Town Meeting Warrant. The Committee is also responsible for review and comment on articles submitted for inclusion in the Warrant.

MISSION STATEMENT

The mission of the Wayland Finance Committee is to define a financial strategy for the Town and to use this strategy as the basis for recommending to the Town a fiscally responsible operating and capital-spending plan. The Finance Committee seeks to balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

FINANCIAL STRATEGY

The Finance Committee's strategy is to recommend the following: 1) maintenance of high quality Town services supplied by an efficient workforce, 2) continued infrastructure investment via a capital spending plan, and 3) preservation of Free Cash.

BUDGET PROCESS

Work on the proposed budget for FY06 began in the fall of 2004 with meetings with departments, committees and commissions whose expenditures make up the bulk of Town expenses. These meetings are meant to inform the Finance Committee of specific personnel and monetary requirements, as well as to provide a general discussion and update of the respective department or board activities.

After reviewing various budget scenarios based on probable revenue and expense changes and the economic challenges facing the town in the upcoming fiscal year, the committee issued in November 2004 budget guidelines for FY06. These guidelines essentially allowed for only mandated expense increases, such as contractual wage adjustments, increases in personnel related costs, such as health care and pension costs, rise in utility costs, and state required increases in Special Ed costs. The Guideline called for level funding in all other expense categories, and that fee supported programs, such as Park and Recreation programs and Landfill operations, generate enough revenue to offset the cost of providing these programs. A public hearing was held November 1, 2004, to discuss the budget guidelines and the revenue expectations for the next fiscal year. All Town and School budgets were due on December 15, 2004. In December and early 2005, the committee met with Boards, departments, and commissions to discuss specific budget requests. In addition to the normal budget request, the Finance Committee requested that each budget be submitted with a supplemental budget that would provide the department's, committee's or commission's recommendation of what actions it would take if a 5% reduction were to be implemented. This list was requested as the basis for the FINCOM to provide a budget if the Town does not approve the 2006 operating override.

In February, a compilation of revenue and expense estimates for FY06 was prepared based on the inputs from the departments, committees and commissions. Although this budget essentially met the FINCOM's guideline, FINCOM made several recommendations requesting specific reductions or fee increases to these budgets in order to minimize the override. In total these reductions and fee increases amounted to $340,000.

The FINCOM also considered the 5% expense reductions, which were supplied during the budget process. In total these reductions equaled approximately $2 million. With over 70% of the budget represented by salaries and related benefit costs, many of the recommendations required reductions in staff. Specifically, almost 40 employees would have to be terminated with approximately two-thirds of this amount coming from the school system, affecting teachers and support staff, with the balance coming primarily from public safety personnel, both fire and police. 40 employees would represent 7% of the Town-wide workforce and would seriously impact the level of public safety and quality of educational programs. Other expense reductions would be imposed which would affect service hours, including hours of operation of the library and hours available by the various departments to service the public, and other miscellaneous items. After careful consideration of the impact of such a reduction on the level and quality of service, the FINCOM concluded that it would not recommend implementing such cuts and believes that the passage of the override is in the best interest of the Town.

A draft budget was presented at a public hearing on February 28, 2005. Subsequently, the FINCOM unanimously approved the budget that appears in this warrant and on March 14, 2005 the Board of Selectmen voted 4-0 to put the override on the ballot for the April 26, 2005 town election.

SUMMARY OF THE 2006 OPERATING BUDGET AND THE NEED FOR THE OVERRIDE

Total revenue in 2006 without the override is estimated at $48.6 million as compared to $52.0 million in estimated expenses. In addition, current year transfers voted at the January Special Town Meeting ($200,000 primarily for legal expense) and expected to be approved at the April Town meeting ($300,000 is currently estimated for snow removal) total $500,000. Combined, the result is a shortfall of $3.4 million. This shortfall is being funded by the use of $500,000 in water reserves, $400,000 in other reserves (including sale of real estate and ambulance receipts), and a $2.3 million override.

The FINCOM's decision to use the water reserves is based on the fact that these reserves essentially represent the profit realized by the water department as a result of higher water rates imposed by the water commissioners to encourage water conservation. Use of these reserves does not affect the water department's ability to fund its water operations, nor does it reduce reserves below prior year's amounts or below state recommended levels. In addition, it does not affect the department's ability to borrow to fund major capital projects, including the water treatment facility, included as an article in this year's warrant. Failure to use these reserves would require that the override be increased by $500,000 or that expenses be reduced by that amount.

To understand the shortfall, it is important to analyze the changes in revenues and expenses between 2005 and 2006:

1. Revenue between 2005 and 2006 as shown in Table 1 is only increasing by $18,664. Source of revenue and changes from 2005 are as follows:
    - Under Proposition 2½ the tax increase is limited to 2½% of the overall tax levy. For 2006, this represents approximately $911,861.
    - State revenue is only increasing by $40,000. As recently as 2002 and 2003, State revenue to the town was almost $1million per year higher than the town will receive in 2006. In effect, the town has had to absorb a cumulative reduction of over $2 million in state funding. In past budgets this decline was essentially offset by the use of free cash—see discussion of free cash below.
    - Local receipts, primarily excise taxes and fees charged for use of certain town services are expected to increase by $53,075.
    - New growth, the tax on new property, will generate $400,000 of new taxes.
    - Additional taxes from debt exclusions will increase by $182,710.
    - Use of free cash. In 2005 the Town used almost $1.9 million to balance the budget. As explained above, free cash built up during stronger economic times has been used to offset the declines of state funding. Current free cash balances, although adequate, are not sufficient to continue to provide the same level as in 2005. Only $300,000 will be used in 2006. This represents a net decline of $1.6 million.

Table 1: Revenue Sources

Description	Projected FY05	Projected FY06	Difference	% change
State Revenues	$4,252,121	$4,292,121	$40,000	0.94%
Local Receipts	4,445,926	4,499,001	53,075	1.19%
Free Cash	1,869,003	300,000	-1,569,003	-83.95%
Real Estate Taxes:				
Tax Levy	35,180,883	36,439,318	1,258,435	3.58%
Allowance for 2.5%	880,399	911,861	31,462	3.57%
Debt Exclusion	1,605,706	1,788,416	182,710	11.38%
New Tax Levy Growth	378,035	400,000	21,965	5.81%
Total Real Estate taxes	38,045,023	39,539,595	1,494,572	3.93%
Total revenues before misc receipts	**$ 48,612,073**	**$ 48,630,717**	**$ 18,644**	**0.04%**

2. Expenses between 2005 and 2006 are increasing by $2.7 million, mostly mandated or contractual increases. These include:
   - Salary and step increases of $1.9 million. During 2005 the town has started to settle on new labor contracts with its various unions, starting with the teachers union this past summer. These contracts are generally three-year contracts and will cover the fiscal period 2005 through 2007. For purposes of the 2006 budget, the FINCOM assumed that all contracts would settle at the same increase. In addition, under existing labor contracts, most employees are entitled to step increases, which are built-in annual pay increases based on agreed to salary and wage classification schedules.
   - Health care costs are expected to increase by $609,000. This increase is required to fund higher insurance rates and the impact of approximately 30 employees who opted to enroll in the Wayland plan in 2005.
   - Pension costs are increasing by $261,000. Pension expense represents the cost to provide pensions to town employees; it does not include teachers whose pension is covered by the state. The higher charge is Wayland's 2006 assessment from the Middlesex County Retirement System, the Town's pension administrator. The increase is required due to lower investment returns realized in the past few years requiring a higher annual funding to fund the town's pension liability.
   - Utility costs are estimated to increase by $160,000 required for the higher gasoline, heat, and electric rates. In addition, the contract with the bus transportation company is up for renewal. Given their higher cost of fuel, the School Committee is expecting an increase for 2006.
   - Special Education costs will be going up by $74,000.
   - Offsetting these increases are various expense reductions and fee increases recommended by the FINCOM during the budget process.

3. Also, as mentioned above current year transfers at the January Special Town Meeting of $200,000, primarily legal expense, and an anticipated $300,000 at Annual Town Meeting, primarily for snow removal, will require a replenishment of free cash by $500,000.

FY06 OMNIBUS BUDGET

The Omnibus Budget lists various Town operating expenses, unclassified expenditures such as employee health insurance, and debt and interest. The budget also includes requests for capital expenditures.

OPERATING EXPENSES

The FY06 Omnibus Budget article proposes operating expenses of $48,936,453, representing an increase of $2,420,683 or 5.2% from fiscal 2005. The increase includes contractual salary increases and increases in health care costs. Although, provision has been made in the budget for salary increases, the Town has not completed negotiations with all its unions. All union contracts were up for renewal beginning fiscal 2005. Employee benefit costs, primarily heath insurance costs, continue to rise resulting in an expected increase of approximately $609,000 in 2005, which is approximately a 14% increase. Health care costs are primarily impacted by two variables: 1) the overall cost of providing health care; and 2) the impact of additional employees opting for Town sponsored health care coverage, which also includes the impact of employee retirements. Typically both the retired employee and their replacement end up being covered by Town health care programs. In addition, in this challenging economy the Town has experience an increase in employees and spouses opting for Town coverage where in the past these employees may have been covered by a spouse's program.

Table 2 Departmental Increases:

	BUDGET 2005	BUDGET 2006	INC / (DEC)	% INCREASE
GENERAL GOVERNMENT	$ 2,495,610	$ 2,593,932	$ 98,322	3.9%
PUBLIC SAFETY	4,600,602	4,609,128	8,526	0.2%
HIGHWAY	1,171,933	1,193,023	21,090	1.8%
LANDFILL	460,548	473,596	13,048	2.8%
HEALTH	565,196	564,499	(697)	-0.1%
SCHOOLS	25,909,202	27,379,743	1,470,541	5.7%
REGIONAL VOCATIONAL S	158,049	186,000	27,951	17.7%
LIBRARY	841,406	855,950	14,544	1.7%
PARK & RECREATION	1,406,931	1,351,682	(55,249)	-3.9%
DEBT & INTEREST	3,849,037	3,665,900	(183,137)	-4.8%
UNCLASSIFIED	5,057,256	6,063,000	1,005,744	19.9%
Total	$ 46,515,770	$ 48,936,453	$ 2,420,683	5.2%

Significant Increased line items.

TABLE 3

Department	Description	FY 05 Appropriated	FY06 Requested	Variance	% Change
Town Office	Telephone	$40,000	$60,000	$20,000	50%
Town Counsel	Services	$118,600	$143,600	$25,000	21%
Info Tech	Services	$40,925	$60,995	$20,070	49%
Schools	Total Schools	$25,909,202	$27,379,743	$1,470,541	6%
Reg Voc Sch	Assessment	$158,049	$186,000	$27,951	18%
Unclassified	Insurance general	$331,200	$361,200	$30,000	9%
Unclassified	Insurance 32B	$3,846,056	$4,400,000	$553,944	14%
Unclassified	Medicare Contribution	$350,000	$375,000	$25,000	7%
Unclassified	Unemployment Comp	$25,000	$55,000	$30,000	120%
Unclassified	Res for Sal settlement	$120,000	$505,000	$385,000	321%

Legal Counsel: In the past few years legal expense has exceeded the budget and has required current year transfers to fund legal costs related to Danforth, the landfill matter with the DEP, and other such matters. The increase budgeted for FYO6 is to acknowledge that additional funds are required to support town legal activities.

Information Technology: The increase of $20,070 is primarily related to maintenance and software support required for the new Integrated Financial Management System as well as other consulting needs.

School: The total School budget is $1,470,541 above FY05. Over 80% of this increase relates to salary increases resulting from a new contract with the unions that includes a 3.5% increase in wages for FY06, and increases for step and lane changes. Other increases include amounts for special education, higher utility costs and a new transportation contract. New teachers have been added in the elementary school due to enrollment, which under class size guidelines requires additional teachers, and to fund a reading teacher previously funded through a government grant. Also, teachers will be added in the High School. The cost of these additions will be partially offset by higher fees that the School Committee will be imposing.

Vocational: The higher expense is the Town's assessment for participation in the regional vocational school.

Unclassified:

1. Insurance General: This is the estimated increase of higher insurance rates.
2. Insurance 32B: This is the cost of health care insurance as discussed earlier in the report.
3. Medicare contribution: The increase in Medicare contribution is required to cover employees who have replaced employees that have retired and were not covered by Medicare, which was the law at the time.
4. Unemployment compensation: The town self funds unemployment compensation and this represents the increase estimated for terminated employees.
5. Reserve for salary settlements: Most of the contracts with the town unions have not been settled. This amount represents the expected increases, which will be required once these contracts have been settled.

NONBUDGET EXPENSES

The Town is responsible for funding State and County assessments ($721,000), real estate abatements ($300,000) and Town employee retirement pensions ($2,010,000). The Finance Committee estimates that these non-budget charges will total $3,031,000. This represents an increase of approximately $266,000 from fiscal 2005. Increases of $261,000 in the town's contribution to the County Retirement system were the primary reason for the increase. The Town participates in the Middlesex County Retirement System, which is a collective of approximately 30 municipalities, for all Town employees other than Teachers who are covered by a State Retirement Program. Changes in actuarial assumptions to reflect lower investment returns resulted in higher contributions. It is expected that this higher contribution will continue in future years.

The Omnibus Budget expenses plus the nonbudget expenses total $51,967,884.

CAPITAL REQUESTS

Capital requests for FY06 total $1,297,000. The list appears on the final page of the Omnibus Budget under the title "Capital Budget." The FINCOM's capital recommendations were based on two overriding guidelines: 1) to ensure no diminishment of services and quality of education; and 2) to ensure that the annual debt and interest cost on monies borrowed to acquire capital would be at approximately the same cost as the retiring debt and interest.

Capital expenditure requests are generally for: 1) $310,000 for building repairs for the Town Building and the schools; 2) equipment for public safety of $129,000 which includes the refurbishment of a fire truck and equipment to improve the communication system; 3) investment of $554,000 in Town and School technology, the largest being $325,000 for an integrated financial management system to replace the current outdated and unsupported system; and 4) $304,000 for new and refurbishment of equipment, primarily trucks for both the Highway and Park and Recreation. In addition to the capital recommended for approval by the FINCOM, included in this year's warrant are a number of capital requests including the construction of a new salt shed for highway operations, modular classrooms for the high school, and road reconstruction project sponsored by the Road Commissioners. The FINCOM's discussion and recommendation of each of these articles are included with the article.

The Finance Committee unanimously recommends approval of the FY06 capital budget.

FREE CASH

Table 4 depicts the $300,000 of Free Cash allocated to close FY06's budget deficit. This is an improvement of over $1,569,000 from fiscal 2005.

Table 4: Free Cash Allocated To Annual Revenue

Fiscal Year	Free cash
FY 2001	$1,263,500
FY 2002	$1,750,000
FY 2003	$1,550,000
FY 2004	$2,400,000
FY 2005	$1,869,000
FY 2006	$ 300,000

Although the FY06 budget requires free cash to balance the budget, the free cash balance at June 30, 2005 (after the amount required for FY06 budget) is expected to be $1.2 million. Although a reduction of $400,000 from the June 30, 2004 balance, the FINCOM believes this balance is adequate to meet Moody's bond rating requirements and is sufficient to cover unforeseen expenses.

5-YEAR CAPITAL PLAN

Capital planning is part of the overall financial plan for the Town of Wayland that the Finance Committee prepares each year as specified by the Code of the Town of Wayland. Capital needs fall into four categories: equipment, buildings, land and roads. The accompanying five year capital plan in this warrant is the starting point for capital expenditures to be considered in future years. Capital requests are summarized by Department, Board or Commission. Capital items for FY07 and later years have not been formally presented by departments nor approved by the Finance Committee. Excluded from the 5 year capital table are the High School building renovation and construction of a new highway garage. Although, the high school renovation project was voted down on the 2005 ballot, it is anticipated that the School Committee will propose a modified project within this timeframe. Included in this year's warrant is an article to fund the study for a new highway garage. However, it is unclear at this time whether a new garage will be proposed during the next 5 year period.

FINANCIAL TRENDS

Over the past few years, the Town finances have been severely challenged by reductions in state funding, declines in new growth and increases in health care and retirement costs. The use of free cash, built up during the period of strong economic growth, has helped to manage through the past few years. However, free cash levels are no longer at the level to make up shortfalls. Under Proposition 2 ½ new revenue is limited to 2½% which equates to over $900,000. However, without increases in state funding, local fees or new growth, the additional taxes allowed under Proposition 2 ½ might not be sufficient to fund increases in the operating budget. The Town must investigate ways of controlling the increase in health care costs, which is a challenge both in the public and private sector, and other increases. Until revenues can increase from other sources and expense increases can be controlled balancing the budget will continue to be a challenge.

The tax rate for FY06 is expected to increase to $13.70 from $12.58, an increase of 8.9%. This increase includes the impact of the override plus the allowable 2.5% increase.

Wayland's property values continue to increase significantly with the average assessed value

increasing to $584,000 after the last town-wide revaluation in 2004. A strong school system, semi-rural character and the proximity to Boston and the beltways are all given as factors that make Wayland highly desirable.

Once again, Wayland is one of the few towns in the Commonwealth of Massachusetts that earned an Aaa bond rating in 2004 from Moody's Investors Service. This rating, Moody's highest, reflects the Town's strong financial operating results, management, policies and underlying demographic and economic factors. This rating allows the Town to sell bonds with lower interest rates, thereby reducing interest expense.

Finally, in recognition of the tax burden on our elderly population, Wayland has supported a number of initiatives that reduce this financial strain for those on fixed income. Wayland in the past was one of only a few towns in the Commonwealth that is matching the state credit for qualifying seniors. Wayland has increased this match so that a Wayland senior who receives $810 from the state because of the so-called Circuit Breaker legislation will also receive a $1,000 exemption on their real estate taxes. Seniors who qualify are also exempt from the CPA levy.

CONCLUSIONS

The Finance Committee voted 7-0 to recommend the FY06 operating and capital budget. By most statistical measures, our town and school departments spend at lower levels than many of our suburban neighbors. The FINCOM believes it is in the best interest of the citizens to support the FY06 budget and the override to maintain the level and quality of service.

The Finance Committee extends thanks and appreciation to the Town's employees, municipal department heads, and the various committees for their support during this year's budget preparation.

Wayland faces a challenging financial period in FY06 and FY07. The FINCOM will continue to use all diligence in preparing future budgets that will balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

Respectfully submitted,

Bob Lentz, Chair
G. Christopher Riley, Vice Chair
Charles D'Ambrosio
Rod Fletcher
Karl A. Geiger
Cherry Karlson
Sam Peper

TOWN OF WAYLAND 5 YEAR CAPITAL PLANNING REPORT

	2006	2007	2008	2009	2010	Total
SELECTMEN						
Town Building Repairs	$110,000	$94,000	$45,000			$249,000
Selectman Subtotal	$110,000	$94,000	$45,000	$0	$0	$249,000
DATA PROCESSING						
Integrated Financial System	$325,000					$325,000
Technology upgrades	$20,000					$20,000
Data Processing Subtotal	$345,000	$0	$0	$0	$0	$345,000
TOWN CLERK						
Upgrade voting system		$40,000				$40,000
Town Clerk Subtotal	$0	$40,000	$0	$0	$0	$40,000
BUILDING & ZONING						
Vehicle		$26,000				$26,000
Building & Zoning Subtotal	$0	$26,000	$0	$0	$0	$26,000
POLICE						
Voting Receivers(Equipment)	$24,000					$24,000
Police Subtotal	$24,000	$0	$0	$0	$0	$24,000
FIRE						
Ambulance Replacement					$200,000	$200,000
Refurbish Ladder 1	$105,000					$105,000
Engine 4 replacement		$350,000				$350,000
Car 2 replacement			$50,000			$50,000
Fire Subtotal	$105,000	$350,000	$50,000	$0	$200,000	$705,000
HIGHWAY						
5 yrd 15kgvw Dump Truck	$55,000			$54,000		$109,000
3 Yard front end loader	$121,000					$121,000
Sidewalk machine with attachments		$87,000			$88,500	$175,500
8 Wheel 10 ton dump truck/attachments		$145,000			$147,000	$292,000
Backhoe loader with attachments			$130,000			$130,000
Multi purpose truck w/plow				$95,000		$95,000
Highway Subtotal	$176,000	$232,000	$130,000	$149,000	$235,500	$922,500
LANDFILL						
Containers	$8,000					$8,000
Landfill Subtotal	$8,000	$0	$0	$0	$0	$8,000
LIBRARY						
Computer equipment	$9,000	$10,000	$10,000	$20,000	$10,000	$59,000
Roof repair		$15,000				$15,000
Construction of new Library			$15,000,000			$15,000,000
Library subtotal	$9,000	$25,000	$15,010,000	$20,000	$10,000	$15,074,000

PARK & RECREATION						
Five ton dump truck with plow	$50,000	$50,000	$108,000		$50,000	$258,000
Half ton pickup			$28,000			$28,000
Back hoe Loader		$90,000				$90,000
John Deere grounds tractor				$55,000		$55,000
Truck				$50,000		$50,000
Gang mower 16 ft	$70,000					$70,000
Park & Rec. Subtotal	$120,000	$140,000	$136,000	$105,000	$50,000	$551,000
SCHOOL DEPARTMENT						
Technology	$200,000	$300,000	$300,000	$300,000	$300,000	$1,400,000
Building repairs	$200,000	$520,000	$238,000	$220,000		$1,178,000
Copier		$55,000	$50,000	$60,000	$50,000	$215,000
Furniture		$40,000	$20,000	$15,000	$15,000	$90,000
Equipment		$30,000	$17,000	$17,000	$17,000	$81,000
Vehicles		$30,000		$60,000	$60,000	$150,000
School Subtotal	$400,000	$975,000	$625,000	$672,000	$442,000	$3,114,000
Department Totals	$1,297,000	$1,882,000	$15,946,000	$946,000	$737,500	$21,058,500
WATER						
Treatment plant	$300,000	$5,000,000	$2,500,000		$5,000,000	$12,800,000
Pinebrook-boston post to old conn			$350,000			$350,000
Boston post road to pinebrook		$650,000				$650,000
Stand Pipe Exterior Rehab		$125,000				$125,000
Vehicles				$45,000		$45,000
Piping to Happy Hollow				$500,000		$500,000
Water Subtotal	$300,000	$5,775,000	$2,850,000	$545,000	$5,000,000	$14,470,000

Summary of Departments	2006	2007	2008	2009	2010	Total
Selectmen	$110,000	$94,000	$45,000	$0	$0	$249,000
Data Processing	$345,000	$0	$0	$0	$0	$345,000
Assessors	$0	$0	$0	$0	$0	$0
Town clerk	$0	$40,000	$0	$0	$0	$40,000
Building & Zoning	$0	$26,000	$0	$0	$0	$26,000
Conservation	$0	$0	$0	$0	$0	$0
Police	$24,000	$0	$0	$0	$0	$24,000
Fire	$105,000	$350,000	$0	$0	$0	$705,000
Highway	$176,000	$232,000	$130,000	$149,000	$235,500	$922,500
Landfill	$8,000	$0	$0	$0	$0	$8,000
Library	$9,000	$25,000	$15,010,000	$20,000	$10,000	$15,074,000
Park & Recreation	$120,000	$140,000	$136,000	$105,000	$50,000	$551,000
School Department	$400,000	$975,000	$625,000	$672,000	$442,000	$3,114,000
Total of Departments	$1,297,000	$1,882,000	$15,946,000	$946,000	$737,500	$21,058,500
Non-Departmental						
Water	$300,000	$5,775,000	$2,850,000	$545,000	$5,000,000	$14,470,000

TABLE NO. 1 – WAYLAND INCOME AND EXPENSE STATEMENT						
	FISCAL 2001	FISCAL 2002	FISCAL 2003	FISCAL 2004	FISCAL 2005	FISCAL 2006
BUDGET	$37,589,288	$40,530,924	$43,120,624	$45,178,662	$46,515,770	$48,936,453
ARTICLES AND WATER BUDGET	$6,889,422	$5,495,797	$2,910,990	$4,859,389	$4,487,419	$4,756,101
TOTAL TOWN EXPENSE	$44,478,710	$46,026,721	$46,031,614	$50,038,051	$51,003,189	$53,692,554
NET CHERRY SHEET	($2,829,994)	($3,116,800)	($2,965,182)	($1,917,809)	($1,806,265)	($1,585,690)
OVERLAY EXPENSE	$200,000	$300,000	$310,599	$300,000	$294,911	$300,000
LOCAL RECEIPTS	($3,235,441)	($3,572,147)	($3,523,353)	($3,977,500)	($4,445,926)	($4,499,000)
OTHER SOURCES: FREE CASH, BORROWINGS, ETC.	($8,166,351)	($7,431,219)	($4,695,174)	($7,387,392)	($7,000,885)	($6,063,970)
TO BE RAISED BY TAXATION	$30,446,924	$32,206,555	$35,158,504	$37,055,350	$38,045,024	$41,843,894
ASSESSED VALUATION	$1,949,226,960	$1,990,529,980	$2,807,819,902	$2,822,189,683	$3,024,246,760	$3,024,246,761
TAX RATE	$15.62	$16.18	$12.52	$13.13	$12.58	$13.70
AVERAGE TAX BILL WILL INCREASE BY 8.9% IN FY 06						

TABLE NO. 2 - HISTORICAL BUDGET SUMMARY

FISCAL YEAR	SCHOOL	TOTAL	INCREASE	%	FIXED COSTS*	OPERATING BUDGET
FY 2006	$27,379,743	$48,936,453	$2,420,683	5.2%	1.8%	3.4%
FY 2005	$26,067,251	$46,515,770	$1,337,108	2.9%	1.5%	1.4%
FY 2004	$25,650,251	$45,178,662	$2,050,038	4.8%	1.1%	3.7%
FY 2003	$24,599,201	$43,120,624	$2,739,700	6.8%	1.2%	5.6%
FY 2002	$22,937,619	$40,380,924	$2,791,636	7.4%	1.5%	5.9%
FY 2001	$20,898,995	$37,589,288	$3,408,838	10.0%	3.1%	6.5%
FY 2000	$19,131,126	$34,180,450	$1,574,292	4.8%	-0.1%	4.9%
FY 1999	$18,437,289	$32,606,158	$1,382,968	4.7%	-0.9%	5.6%
FY 1998	$17,390,014	$31,223,190	$2,402,789	8.3%	1.1%	7.2%
FY 1997	$15,691,033	$28,820,401	$1,530,250	5.6%	1.2%	4.4%

INCLUDES:FUNDED DEBT, INTEREST, HEALTH INS., BUILDING INS. (PROP/LIAB) ETC.

TABLE NO. 3

TOWN REVENUES	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06
AUTO EXCISE	1,400,000	1,700,000	1,700,000	1,860,000	2,015,000	2,000,000
FEES, FINES, INTEREST	1,700,000	1,850,000	1,850,000	2,117,000	2,430,926	2,499,000
NET REC FROM STATE	3,575,000	4,272,000	4,495,068	3,518,000	3,555,100	3,595,690
TOTAL	6,675,000	7,822,000	8,045,068	7,495,000	8,001,026	8,094,690
RAISED FROM TAXES	30,446,925	32,206,555	34,963,122	37,055,350	38,045,024	41,843,894

TABLE NO. 4
PERCENT OF BUDGET BY DEPARTMENT

DEPARTMENT	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06
GENERAL GOVERNMENT	5.9%	5.6%	5.6%	5.6%	5.4%	5.3%
PUBLIC SAFETY	10.7%	10.1%	10.1%	10.2%	9.9%	9.5%
HIGHWAY	2.9%	2.7%	2.6%	2.6%	2.8%	2.4%
LANDFILL	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
HEALTH	1.3%	1.2%	1.2%	1.4%	1.2%	1.2%
SCHOOLS	55.5%	56.7%	56.8%	56.4%	55.7%	55.9%
REG VOC SCHOOL	0.5%	0.2%	0.2%	0.4%	0.3%	0.4%
LIBRARY	1.8%	1.8%	1.9%	1.8%	1.8%	1.7%
PARK & RECREATION	3.0%	2.9%	3.2%	3.0%	3.0%	2.8%
DEBT & INTEREST	11.1%	10.0%	9.3%	8.4%	8.3%	7.5%
UNCLASSIFIED	6.3%	7.8%	8.1%	9.2%	10.6%	12.3%

TABLE NO. 5
DEPARTMENTAL INCREASES

	BUDGET FY 05	BUDGET FY 06	DIFFERENCE	% INCREASE
GENERAL GOVERNMENT	$2,495,610	$2,593,932	$98,322	3.9%
PUBLIC SAFETY	$4,600,602	$4,609,128	$8,526	0.2%
HIGHWAY	$1,171,933	$1,193,023	$21,090	1.8%
LANDFILL	$460,548	$473,596	$13,048	2.8%
HEALTH	$565,196	$564,499	-$697	-0.1%
SCHOOLS	$25,909,202	$27,379,743	$1,470,541	5.7%
REGIONAL VOCATIONAL SCHOOL	$158,049	$186,000	$27,951	17.7%
LIBRARY	$841,406	$855,950	$14,544	1.7%
PARK AND RECREATION	$1,406,931	$1,351,682	-$55,249	-3.9%
DEBT AND INTEREST	$3,849,037	$3,665,900	-$183,137	-4.8%
UNCLASSIFIED	$5,057,256	$6,063,000	$1,005,744	19.9%
TOTAL	$46,515,770	$48,936,453	$2,420,683	5.2%

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. *Town of Wayland*

★★★ WARRANT ★★★

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to come to their respective polling places (Precincts 1 and 4 in the Gymnasium of the Town Building and Precincts 2 and 3 in the Gymnasium of the Middle School) on:

TUESDAY, APRIL 26, 2005, BETWEEN 7:00 A.M. and 8:00 P.M.

to vote for the following Town officers by ballot for the following terms of office:

One Planning Board member and one Housing Authority member for five years;

One Moderator, two members of the Board of Selectmen, two members of the School Committee, one Assessor, one Road Commissioner, one Water Commissioner, two members of the Board of Health, one Trust Fund Commissioner, two Library Trustees, and one Park and Recreation Commissioner for three years;

One Board of Health member and one Park and Recreation Commissioner for one year;

As well as such other Town Officers as may be necessary and to vote "Yes" or "No" upon the following question:

QUESTION NO 1: "Shall the Town of Wayland be allowed to assess an additional $2.3 million dollars in real estate and personal property taxes for the purposes of the general operating expenses of the Town for the fiscal year beginning July first, two thousand and five?"

You are also required to notify all such residents of Wayland to meet in the High School Field House on

THURSDAY, APRIL 28, 2005, AT 7:45 P.M.

to act on the following Articles:

ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR EXTENSIVE SERVICE TO THE TOWN

Proposed by: Board of Selectmen

To determine whether the Town will vote to recognize certain citizens and employees for their extensive service to the Town of Wayland.

FINANCE COMMITTEE COMMENTS: This is a standard article that allows recognition and commendation of certain citizens and employees.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority

ARTICLE 2: HEAR REPORTS

Proposed by: Board of Selectmen

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees. (See Appendix B)

FINANCE COMMITTEE COMMENTS: This is a standard article that allows reports commissioned by the Town to be heard.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority

ARTICLE 3: CHOOSE TOWN OFFICERS

Proposed by: Board of Selectmen

To determine whether the Town will vote to choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by official ballot.

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to fill various positions.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, section 1.

ARTICLE 4: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee *Estimated Cost: $339,000*

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of

funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

	CURRENT YEAR TRANSFERS FY 2005	
1	SNOW REMOVAL	55,000
2	LABOR	170,000
3	TOWN OFFICE-TELEPHONE	15,000
4	INSURANCE GENERAL	50,000
5	UNEMPLOYMENT	49,000
	TOTAL CURRENT YEAR TRANSFERS	339,000
	FUNDING SOURCES:	
	UNRESERVED FUND BALANCE	339,000

FINANCE COMMITTEE COMMENTS: This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget. These transfers are required for the following reasons:

Snow Removal (55,000) and Labor O.T. (170,000): These requests cover snow removal overages for this fiscal year. These amounts are net of anticipated MEMA reimbursement of approximately 100,000.

Town Office-Telephone (15,000): This budget item was erroneously reduced in the FY05 budget. These funds are needed for normal yearly usage for the Town Building.

Insurance General (50,000): This reflects a shortfall in the 2005 budget, as rates from the insurance carrier were not available at the time the budget was finalized. This item covers property, auto and general liability coverage.

Unemployment (49,000): This reflects a shortfall in the 2005 budget. The town is self-insured for unemployment costs and the actual costs are not known until actually incurred. This line item pays for all unemployment costs both school and town.

RECOMMENDATION: Finance committee recommends approval.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 5: FY2006 OMNIBUS BUDGET

Proposed by: Finance Committee

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes; and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS:

ARGUMENTS IN FAVOR: This budget reflects the cost of operating the Town in an efficient manner in order to deliver services to the residents of Wayland.

ARGUMENTS OPPOSED: Some residents might consider the budget excessive, while other residents might believe that insufficient funds have been budgeted to perform all desired services.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

MOTION UNDER ARTICLE 5:

For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 5 at the Annual Town Meeting, as follows:

"That the Executive Secretary, or if a Town Administrator is appointed, the Town Administrator, be charged with responsibility for the operation, maintenance, and administration of the Wayland Town Building, the Public Safety Building, and the Cochituate Town Building, their equipment, and their grounds;

"That the appropriation under Conservation Commission for 'Conservation Fund' be maintained as a fund against future purchases and not be expended without future vote of the Finance Committee and Board of Selectmen;

"That the Office of the Town Clerk be continued on a salary basis and that all fees from whatever source derived be turned over to the Town as Town income;

"That property tax abatements granted to eligible senior citizens under Sections 80 and 81 of Chapter 127 of the Acts of 1999 be funded by transfer from the overlay account; and

"That the Director of Youth and Adolescent Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Adolescent Services and Staff at the Annual Town Meeting. The Director of Youth and Adolescent Services and Staff will receive administrative support from the School Department."

	BUDGET FISCAL YEAR 2006	EXPENDED FY 2004	APPROPRIATED FY 2005	REQUESTED FY 2006
	SELECTMEN			
1	SALARIES	$0	$0	$0
2	EXPENSE	$16,350	$24,427	$26,844
3	ENVIRONMENTAL AUDIT	$0	$9,500	$0
4	BEAUTIFICATION PROP	$7,008	$5,000	$7,000
	TOTAL SELECTMEN	$23,358	$38,927	$33,844
	EMERGENCY MANAGEMENT			
5	OPERATIONS	$399	$5,000	$5,000
6	TRAINING	$0	$2,000	$2,000
7	EMERGENCY MANAGEMENT CERT	$6,949	$16,000	$16,000
	TOTAL EMERGENCY MANAGEMENT	$7,348	$23,000	$23,000
	TOWN OFFICE			
	SALARIES:			
	EXECUTIVE SECRETARY	$93,531	$93,600	$125,000
	PERSONNEL DIRECTOR	$71,744	$73,000	$74,157
	FIN. DIR./TOWN ACCT.	$97,838	$97,838	$88,798
	OFFICE ADMIN	$42,880	$43,684	$44,230
	S. SCHEDULE	$40,805	$40,805	$40,805
	CLERICAL	$106,237	$107,216	$105,176
	OVERTIME/LONGEVITY/SICK LEAVE	$15,928	$17,526	$11,500
8	TOTAL SALARIES	$468,963	$473,669	$489,666
9	EXPENSE	$73,494	$63,000	$73,500
10	EQUIPMENT	$3,650	$4,600	$4,600
11	TELEPHONES	$63,359	$40,000	$60,000
12	CONTRACT SERVICES	$26,500	$16,500	$24,503
13	PERSONNEL BOARD EXPENSE	$0	$10,000	$10,000
14	PERSONNEL BOARD ADJUSTMENT FUND	$0	$6,750	$6,750
	TOTAL TOWN OFFICE	$635,966	$614,519	$669,019
	WAYLAND TOWN BUILDING			
15	SALARIES	$93,795	$86,586	$90,258
16	BUILDING UTILITIES	$126,955	$119,029	$115,481

17	EXPENSE	$27,450	$26,800	$34,650
18	WASTE WATER MANAGEMENT USER CHARGES	$0	$10,775	$11,000
	TOTAL TOWN BUILDING	$248,200	$243,190	$251,389
	COCHITUATE TOWN BUILDING			
19	EXPENSES	$20,685	$17,000	$17,000
	INFORMATION TECHNOLOGY			
	MANAGER	$66,775	$66,775	$66,775
	COMPUTER OUTREACH TECHNICIAN	$23,080	$0	$0
20	TOTAL SALARIES	$89,855	$66,775	$66,775
	EXPENSES			
21	FORMS, SUPPLIES	$24,022	$20,575	$24,500
22	EDUCATION/TRAVEL	$2,500	$2,500	$2,500
	EQUIPMENT			
23	RENTAL AND REPAIRS	$1,136	$11,200	$7,000
24	NEW APPLICATIONS/EQUIPMENT	$7,691	$6,500	$8,000
25	COMPUTER EQUIPMENT/UPDATE	$6,178	$0	$0
26	PROFESSIONAL SERVICES	$36,451	$40,925	$60,995
	TOTAL INFORMATION TECHNOLOGY	$167,833	$148,475	$169,770
	TREASURER/COLLECTOR			
	TREASURER/COLLECTOR SALARY	$72,784	$72,784	$72,784
	CLERICAL SALARY	$89,204	$102,099	$102,112
	TREASURER CERTIFICATION	$1,000	$1,000	$1,000
27	TOTAL SALARIES	$162,988	$175,883	$175,896
	EXPENSES:			
28	OPERATING EXPENSE	$3,528	$6,959	$8,926
29	TAX TITLE EXPENSE	$2,516	$2,980	$3,000
30	EXCISE TAX PROGRAM	$1,045	$1,775	$1,775
31	BANKING SERVICES	$9,645	$16,600	$16,600
32	LOCK BOX SERVICES	$11,301	$14,000	$14,000
	TOTAL TREASURER/COLLECTOR	$191,023	$218,197	$220,197

	ASSESSORS			
33	SALARIES	$4,355	$4,600	$0
34	PROF/CLERICAL	$142,912	$141,732	$141,732
35	EXPENSE	$5,645	$8,239	$7,239
36	PROF SERVICES	$24,546	$33,400	$33,400
37	OTHER EXPENSE	$1,000	$6,000	$6,000
38	EQUIPMENT, MAINTENANCE, SOFTWARE	$6,000	$0	$0
39	SPEC BUDGET ITEM-PROPERTY REASSESSMENT	$0	$40,000	$40,000
	TOTAL ASSESSORS	$184,458	$233,971	$228,371
	FINANCE COMMITTEE	$0	$160	$0
	TOWN COUNSEL			
	PROFESSIONAL SERVICES			
	SPECIAL COUNSEL	$0	$0	$0
	PROFESSIONAL SERVICES	$0	$0	$0
	TOWN COUNSEL	$100,618	$118,600	$143,600
	ASSOC. TOWN COUNSEL	$62,251	$0	$0
	TOTAL PROFESSIONAL SERVICES	$162,869	$118,600	$143,600
	LEGAL EXPENSES	$0	$6,400	$2,100
40	TOTAL TOWN COUNSEL	$162,869	$125,000	$145,700
	REGISTRARS			
	SALARY	$625	$675	$675
	LISTING	$3,406	$3,650	$3,650
41	TOTAL REGISTRARS	$4,031	$4,325	$4,325
	TOWN CLERK			
42	TOWN CLERK SALARY	$61,681	$61,681	$64,148
43	TOWN CLERK ADDED COMPENSATION	$400	$400	$400
44	CLERICAL	$39,057	$38,562	$38,562
45	CODIFICATION BY LAWS	$2,976	$4,000	$4,000
46	EXPENSE	$3,194	$5,100	$4,100
47	TOWN CLERK CERTIFICATION	$1,000	$1,000	$1,000

	TOTAL TOWN CLERK	$108,308	$110,743	$112,210
	ELECTIONS			
	OFFICERS SALARIES	$16,902	$11,436	$6,936
	EXPENSE	$7,530	$7,575	$2,920
48	TOTAL ELECTIONS	$24,432	$19,011	$9,856
	PLANNING BOARD			
49	EXPENSE	$5,324	$6,000	$6,000
50	PLANNING ADMINISTRATOR SAL	$59,315	$61,342	$63,145
51	PLANNING ADMINISTRATIVE ASST.	$25,591	$25,419	$25,419
52	EQUIPMENT MAINTENANCE	$0	$250	$250
53	SPECIAL ITEMS	$27	$0	$0
	TOTAL PLANNING BOARD	$90,257	$93,011	$94,814
	TOWN SURVEYOR			
	TOWN SURVEYOR SAL	$66,775	$66,775	$66,775
	SURVEY/COMP SPEC SAL	$57,729	$59,461	$61,258
54	TOTAL SALARIES	$124,504	$126,236	$128,033
55	EXPENSE	$4,429	$4,500	$4,500
56	VEHICLE EXPENSE	$90	$400	$450
57	COMPUTER/COPIER MAINTENANCE.	$5,474	$5,500	$6,000
58	IMPLEMENTATION. ASST.	$4,405	$0	$0
59	GPS SYSTEM	$0	$0	$0
60	SERVICES	$0	$4,500	$4,500
	TOTAL TOWN SURVEYOR	$138,902	$141,136	$143,483
	CONSERVATION			
61	EXPENSE	$10,195	$9,000	$14,000
62	PROFESSIONAL SERVICES/MISC	$2,935	$6,100	$6,100
63	SALARIES	$99,579	$106,493	$104,208
	TOTAL CONSERVATION	$112,709	$121,593	$124,308
	HISTORICAL COMMISSION			
64	EXPENSE	$192	$1,114	$200

	TOTAL HISTORICAL COMMISSION	$192	$1,114	$200
	SURFACE WATER QUALITY COMMISSION			
65	SURFACE WATER QUALITY	$405	$4,900	$4,900
	TOTAL SURFACE WATER QUALITY	$405	$4,900	$4,900
66	HISTORIC DISTRICT COMMISSION	$355	$275	$275
	COUNCIL ON AGING			
67	SALARIES	$108,496	$117,472	$116,190
68	OPERATING EXPENSE	$5,500	$5,500	$5,500
69	TAX WORK-OFF PROGRAM	$19,410	$22,000	$22,000
70	EQUIPMENT	$895	$417	$500
71	NEWSLETTER	$4,106	$3,802	$3,800
72	TRANSPORTATION	$37,170	$42,550	$45,951
	TOTAL COUNCIL ON AGING	$175,577	$191,741	$193,941
	TOTAL GENERAL GOVERNMENT	$2,296,908	$2,350,288	$2,446,602
	POLICE			
1	SALARY	$1,724,338	$1,689,429	$1,705,658
	EXPENSE:			
2	OPERATING EXPENSE	$18,280	$18,500	$18,500
3	UNIFORM EXPENSE	$24,205	$23,025	$23,025
4	TRAINING EXPENSE	$68,237	$68,963	$68,983
5	SPECIAL SERVICES	$1,081	$5,100	$5,100
6	ANNUAL PHYSICALS	$3,772	$4,500	$4,700
7	OUT-OF-STATE TRAVEL	$759	$1,500	$0
8	PUBLIC SAFETY COMPUTER	$10,114	$0	$0
9	TRAFFIC CONTROL EXPENSE	$0	$25,000	$25,000
	EQUIPMENT			
10	POLICE CARS PURCHASED	$79,543	$92,129	$78,328
11	VEHICLE OPERATION EXPENSE	$0	$21,100	$21,100
12	NEW EQUIPMENT, MISC, OFFICE	$3,536	$3,000	$1,000
13	EQUIPMENT MAINTENANCE & REPAIR	$5,827	$7,400	$9,680
14	VEHICLE GASOLINE	$29,979	$29,700	$38,000
15	COMPUTER MAINTENANCE	$0	$9,500	$13,612
16	EQUIPMENT RENTAL	$0	$800	$800
17	RETIREMENT EXPENSE	$9,253	$0	$13,655

	TOTAL POLICE DEPT.	$1,978,924	$1,999,646	$2,027,141
	FIRE			
18	SALARY	$1,664,484	$1,654,405	$1,649,862
19	OPERATING EXPENSE	$9,976	$10,000	$10,000
20	AMBULANCE EXPENSE	$11,265	$11,000	$11,000
21	FIRE ALARM SYSTEM EXPENSE	$7,323	$8,000	$8,000
22	TRAINING AND EDUCATION	$5,109	$10,000	$8,000
23	UNIFORM EXPENSE	$18,310	$18,500	$18,500
24	PHYSICAL EXAMS	$3,962	$5,000	$5,000
25	POLE REPLACEMENT		$2,684	$0
	EQUIPMENT			
26	MISC. EQUIPMENT & HOSE	$13,039	$13,000	$13,000
27	EQUIPMENT MAINTENANCE	$13,598	$15,000	$15,000
28	EQUIPMENT RENTAL	$825	$700	$700
29	VEHICLE GASOLINE	$13,939	$10,000	$14,000
30	COMPUTER MAINTENANCE	$4,996	$5,000	$5,000
	TOTAL FIRE DEPT.	$1,766,826	$1,763,289	$1,758,062
	INSPECTION/BUILDING			
	SALARIES			
	BLDG.& ZONING INSP. SAL	$68,059	$67,075	$67,075
	DEPUTY BLDG INSPECTOR	$48,920	$48,344	$48,344
	SUB INSPECTOR SALARY	$1,664	$0	$0
	WIRING INSPECTOR	$19,631	$22,846	$22,846
	OVERTIME	$4,418	$4,160	$1,960
	PLUMBING/GAS INSPECTOR	$22,846	$22,846	$22,846
	CLERICAL	$77,725	$77,524	$77,524
	DEPUTY PLUMBING/GAS	$0	$882	$900
	DEPUTY WIRING	$0	$882	$900
	SEALER OF WEIGHTS & MEAS., SALARY	$618	$832	$895
31	TOTAL SALARIES	$243,881	$245,391	$243,290
	EXPENSE:			
32	BUILDING & ZONING EXPENSE	$7,488	$7,600	$8,500
33	INSPECTORS EXPENSE	$3,711	$4,000	$4,200
34	ZONING BOARD EXPENSE	$2,167	$2,850	$2,850
	EQUIPMENT			
35	VEHICLE EXPENSE	$2,140	$1,500	$2,300

36	VEHICLE GASOLINE	$788	$800	$0
37	COPIER	$400	$500	$500
	TOTAL INSPECTION	$260,575	$262,641	$261,640
	DOG OFFICER:			
38	DOG OFFICER SALARY	$51,966	$20,594	$18,482
39	DOG OFFICER EXPENSE	$2,732	$2,500	$3,000
40	BOARD & VET FEES	$1,136	$3,000	$0
41	VEHICLE GASOLINE	$1,919	$400	$0
	TOTAL DOG OFFICER	$57,753	$26,494	$21,482
	JOINT COMMUNICATIONS			
42	DISPATCHERS SALARY	$364,447	$372,321	$369,370
43	OPERATING EXPENSE	$21,500	$18,711	$18,711
44	BLDG. EXPENSE, MAINT, REPAIR	$13,038	$12,600	$21,600
45	BLDG. EXP UTILITIES	$80,240	$128,000	$106,000
46	COMPUTER LICENSE	$0	$5,000	$9,532
47	UNIFORM ALLOWANCE	$2,555	$1,600	$1,600
48	BUILDING REPAIRS	$0	$5,000	$4,000
49	SPECIAL ITEMS: WASTE WATER MANAGEMENT FEES	$641	$0	$2,000
50	SERVICE CONTRACTS	$0	$5,300	$7,990
	TOTAL JOINT COMMUNICATIONS	$482,421	$548,532	$540,803
	TOTAL PROTECTION	$4,546,499	$4,600,602	$4,609,128
	BOARD OF HEALTH			
	SALARIES:			
	BOARD MEMBERS	$250	$250	$0
	ADMINISTRATIVE ASSISTANT	$38,762	$38,562	$38,562
	ADMINISTRATIVE ASSISTANT OT	$3,441	$2,542	$0
	ANIMAL INSPECTOR	$450	$450	$450
	HEALTH DIRECTOR	$75,583	$72,784	$72,784
	ANIMAL CONTROL OFFICER	$9,000	$9,000	$9,000
	HEALTH AGENT/ SANITARIAN	$48,321	$49,788	$51,300
	PART-TIME CLERICAL	$15,978	$17,463	$17,463
	SCHOOL NURSES (4)		$151,109	$155,642
	HEAD NURSE (1)		$46,620	$48,019

	SUBSTITUTE NURSES		$10,465	$12,380
1	TOTAL SALARIES	$191,785	$399,033	$405,600
	EXPENSES:			
2	OFFICE EXPENSE	$9,643	$7,500	$7,500
3	SCHOOL NURSING SUPPLIES	$0	$3,000	$3,000
4	SCHOOL NURSING SUPPLIES/EQUIP	$0	$1,000	$4,900
5	SCHOOL NURSING TRAVEL	$0	$500	$500
6	SCHOOL NURSING PROFESSIONAL MEMBERSHIP	$0	$1,250	$1,450
7	IN STATE TRAVEL EXPENSE	$984	$1,000	$1,000
8	FRINGE BENEFITS	$1,101	$1,980	$1,980
	CONTRACT/PROF SERVICES:			
9	MENTAL HEALTH CLINICS	$47,400	$47,400	$47,400
10	COMMUNITY NURSING CARE	$300,836	$0	$0
11	PUBLIC HEALTH NURSING	$0	$40,060	$40,060
12	MOSQUITO CONTROL	$31,972	$19,909	$9,385
13	PROFESSIONAL SERVICES/MOSQ	$720	$14,364	$13,524
14	VEHICLE OPERATION/MAINT/PURCHASE	$1,178	$1,200	$1,200
	SPECIAL BUDGET ITEMS:			
15	WATER QUALITY TESTING	$1,287	$3,000	$3,000
16	HAZARDOUS WASTE MGT	$15,000	$15,000	$15,000
17	CONSULTING ENGINEER	$0	$2,000	$2,000
18	FOOD INSPECTOR	$0	$7,000	$7,000
19	VISION AND HEARING TESTING EQUIP.	$0	$0	$0
	TOTAL BOARD OF HEALTH	$601,906	$565,196	$564,499
	HIGHWAY			
	SALARIES:			
	DIRECTOR OF HIGHWAY	$65,265	$66,581	$67,888
	CLERKS' SALARIES	$74,562	$74,179	$74,194
	HIGHWAY LABOR SALARY	$504,625	$528,219	$533,987
	OVERTIME LABOR	$0	$40,000	$40,000
1	TOTAL SALARIES	$644,452	$708,979	$716,069
	MAINTENANCE:			
2	MAINTENANCE OF ROADS	$144,584	$40,000	$40,000
3	MAINTENANCE OF PRIVATE ROADS	$2,630	$2,630	$2,630
4	MAINTENANCE OF EQUIPMENT	$64,750	$66,523	$66,523
5	SNOW REMOVAL	$157,134	$51,000	$51,000

6	SNOW REMOVAL/PRIVATE WAYS	$0	$7,000	$7,000
7	UNIFORMS/OTHER FRINGE	$14,542	$17,000	$17,000
	CONTRACT/PROFESSIONAL SERVICES			
8	CONTRACT BASIN CLEANING	$20,007	$22,000	$22,000
9	ROAD RESURFACING	$9,308	$160,000	$160,000
	EQUIPMENT			
10	EQUIPMENT MISC.	$10,971	$11,000	$11,000
11	HIGHWAY FUEL	$33,807	$25,000	$34,000
	BUILDING MAINTENANCE:			
12	HIGHWAY GARAGE REPAIR	$15,968	$16,301	$16,301
13	WASTEWATER DISPOSAL		$10,000	$10,000
14	HIGHWAY GARAGE UTILITIES	$32,369	$27,500	$32,500
15	OFFICE EXPENSE	$6,964	$7,000	$7,000
	TOTAL HIGHWAY	$1,157,486	$1,171,933	$1,193,023
	BOARD OF HEALTH-LANDFILL			
1	SALARIES:	$192,159	$206,725	$216,373
	EXPENSE:			
2	LEACHATE COLLECTION	$59,969	$50,000	$50,000
3	DISPOSAL OF WOOD	$30,006	$30,000	$18,500
4	FUEL	$12,891	$13,000	$14,000
	PROFESSIONAL SERVICES			
5	MISC. ENGINEERING	$16,876	$33,200	$33,200
	BUILDING:			
6	REPAIRS	$9,129	$9,500	$9,500
7	UTILITIES	$14,984	$15,000	$16,800
8	OTHER EXPENSE	$13,386	$13,500	$25,900
9	MAINTENANCE REPAIRS	$28,985	$29,600	$29,600
10	LEASE EQUIPMENT	$6,007	$6,973	$6,973
11	OTHER EXPENSE: COVER	$14,629	$14,650	$19,850
12	MISC. EQUIPMENT	$8,192	$8,400	$8,400
13	BANNED WASTE DISPOSAL	$30,000	$30,000	$18,500
14	SECURITY SYSTEM	$5,813	$0	$6,000
	TOTAL LANDFILL	$443,026	$460,548	$473,596
	VETERANS BENEFITS			
	VET BENEFIT APPROPRIATION	$4,373	$3,645	$3,645

	MISCELLANEOUS	$145	$215	$180
	SALARIES	$3,802	$3,833	$3,868
1	TOTAL VETERANS BENEFITS	$8,320	$7,693	$7,693
	SCHOOLS			
1	SCHOOLS	$24,304,355	$25,909,202	$27,379,743
2	REGIONAL VOCATIONAL SCHOOL	$178,450	$158,049	$186,000
	YOUTH SERVICES			
	DIRECTOR YOUTH SERVICES	$68,059	$66,775	$66,775
	ASSOC DIRECTOR YOUTH SER	$63,271	$62,258	$62,266
	CLERICAL	$0	$3,866	$5,866
1	TOTAL YOUTH SERVICES SAL	$131,330	$132,899	$134,907
2	EXPENSE	$4,017	$3,980	$3,930
3	AUTOMOBILE EXPENSE	$710	$400	$450
4	VEHICLE PURCHASE	$0	$0	$0
5	AUTOMOBILE REPAIR	$0	$350	$350
	TOTAL YOUTH SERVICES	$136,057	$137,629	$139,637
	LIBRARY			
	SALARIES			
	LIBRARY DIRECTOR	$64,043	$66,023	$66,740
	ADM ASSISTANT	$47,942	$48,216	$48,216
	CHILDREN'S LIBRARIAN	$42,159	$43,095	$44,444
	ASST. CHILDREN'S LIBRARIAN	$43,085	$44,251	$44,476
	LIBRARY ASSISTANTS	$112,947	$158,635	$158,818
	PAGES SALARY	$12,348	$12,883	$13,270
	CLERKS SALARY	$73,422	$33,175	$39,400
	CUSTODIAN SALARY	$31,746	$33,825	$35,325
	REFERENCE LIBRARIAN	$53,231	$56,803	$58,700
	ASSISTANT DIRECTOR	$50,251	$51,289	$52,824
	HEAD OF CIRCULATION	$49,153	$48,382	$41,601
	SATURDAY DIFFERENTIAL	$0	$1,700	$1,700
	EVEN DIFFERENTIAL	$0	$2,050	$2,300
	CHILDREN'S ROOM PART TIME	$0	$0	$0
	COMPUTER SPECIALIST/PART TIME	$14,866	$28,429	$29,536
1	TOTAL SALARIES	$595,193	$628,756	$637,350

2	OPERATING EXPENSE	$43,000	$43,000	$47,000
3	OUT OF STATE TRAVEL	$0	$550	$0
4	TUITION REIMBURSEMENT	$1,223	$2,500	$2,500
5	MATERIALS PURCHASE	$133,001	$134,600	$137,100
6	LIBRARY AUTOMATION	$32,000	$32,000	$32,000
	TOTAL LIBRARY	$804,417	$841,406	$855,950
	PARK & RECREATION			
	SALARIES:			
	SUPERINTENDENT	$78,074	$78,074	$78,074
	LABOR	$428,592	$308,153	$311,954
	CLERICAL REGULAR	$41,005	$38,562	$38,562
1	TOTAL SALARIES	$547,671	$424,789	$428,590
	EXPENSE:			
2	REPAIRS & MISC.	$50,801	$45,835	$47,835
3	LANDSCAPE, MATERIAL & SUPPLIES	$29,817	$31,527	$31,527
4	UNIFORM EXPENSE	$4,280	$4,280	$4,280
5	TREE PLANTING	$3,740	$1,500	$1,500
6	PLAYGROUND SUPPLY	$0	$0	$0
7	TRAVEL & DUES IN STATE	$355	$500	$500
8	TRAVEL OUT OF STATE	$620	$1,050	$0
	EQUIPMENT			
9	MISC SMALL EQUIPMENT	$824	$1,000	$1,000
10	REPAIR SUPPLY & EQUIP	$2,811	$5,000	$5,000
	BUILDING REPAIRS			
11	LIGHTING, ETC.	-$995	$3,650	$3,650
	CONTRACT/PROF SERVICES			
12	TREE TRIMMING	$29,062	$30,800	$30,800
13	PUBLIC WORKS EXPENSE	$1,983	$2,000	$2,000
14	TREE TRIMMING BACKLOG	$0	$30,000	$0
15	DEV. CEMETERY LAND	$0	$0	$0
	TOTAL PARK & RECREATION	$670,969	$581,931	$556,682
16	FEE SUPPORTED PROGRAMS	$461,338	$550,000	$550,000

	PARK/RECREATION: POOL OPERATION			
	SALARIES	$163,437	$170,000	$135,000
	UTILITIES	$53,648	$40,000	$55,000
	ADMIN MATERIALS, SUPPLIES	$13,986	$9,000	$9,000
	MAINTENANCE MATERIALS, SUPPLY	$40,284	$45,000	$38,000
	PROGRAMS	$6,013	$11,000	$8,000
17	TOTAL POOL OPERATION	$277,368	$275,000	$245,000
	UNCLASSIFIED			
1	INSURANCE GENERAL	$360,709	$330,000	$361,200
2	INSURANCE 32B	$3,224,139	$3,846,056	$4,400,000
3	UNEMPLOYMENT COMPENSATION	$15,599	$25,000	$55,000
4	STREET LIGHTING	$95,988	$113,000	$113,000
5	HYDRANT RENTAL	$0	$18,000	$0
7	RESERVE FUND	$0	$201,000	$201,000
8	PUBLIC CEREMONIES	$3,495	$2,500	$2,500
9	SURETY BONDS	$0	$1,200	$0
10	TOWN CLOCKS	$0	$200	$0
11	NON CONTRIBUTORY PENSION	$12,986	$12,000	$12,000
12	PENSION DISABILITY ACCT	$0	$10,000	$10,000
13	OCCUPATIONAL HEALTH NURSE	$9,409	$7,500	$7,500
14	TOWN MEETING WARRANT	$13,398	$16,000	$16,000
15	MEDICARE CONTRIBUTION	$330,000	$350,000	$375,000
16	RESERVE FOR SAL SETTLEMENT	$0	$120,000	$505,000
17	EMPLOYEE ASSISTANCE PROGRAM.	$0	$4,800	$4,800
	TOTAL UNCLASSIFIED	$4,065,723	$5,057,256	$6,063,000
	DEBT AND INTEREST			
1	TOTAL DEBT & INTEREST	$3,869,153	$3,849,037	$3,665,900
	GRAND TOTAL BUDGET	$43,821,975	$46,515,770	$48,936,453

	CAPITAL BUDGET	RECOMMENDED	
	SELECTMEN		
1	Town Building Repairs	$110,000	BORROW
	INFORMATION TECHNOLOGY		
2	Integrated Financial Mgmt Software-Town/School	$325,000	BORROW
3	Computer Equipment	$20,000	BORROW
	JOINT COMMUNICATIONS		
4	Voting Receivers(Equipment)	$24,000	BORROW
	FIRE DEPARTMENT		
5	Refurbish Fire Truck(Equipment)	$105,000	BORROW
	HIGHWAY		
6	Dump Truck	$55,000	BORROW
7	Front End Loader	$121,000	BORROW
	BOH-LANDFILL		
8	Container (Equipment)	$8,000	BORROW
	LIBRARY		
9	Computer Equipment	$9,000	BORROW
	PARK AND RECREATION		
10	Gang Mower	$70,000	BORROW
11	Dump Truck	$50,000	BORROW
	SCHOOL DEPARTMENT		
12	Technology	$200,000	BORROW
13	Building Repairs	$200,000	BORROW
	GRAND TOTAL	$1,297,000	

ARTICLE 6: WATER DEPARTMENT MAINTENANCE BUDGET

Proposed by: Board of Water Commissioners *Estimated Cost: $ 1,873,464*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for the operation and expenses of the Water Department; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise.

WATER DEPARTMENT BUDGET FY 2006

	EXPENDED FY 2004	APPROPRIATED FY 2005	REQUESTED FY 2006
Operating Budget:			
Elected Wages	$225	$225	$225
Regular Wages	$500,492	$618,700	$664,488
Total Personal Services	$500,717	$618,925	$664,713
Purchase of Services	$151,483	$201,500	$236,500
Utilities	$148,253	$177,000	$179,400
Supplies and Materials	$299,282	$274,500	$272,000
Debt Service	$370,026	$401,983	$520,851
Total Expenses	$969,044	$1,054,983	$1,208,751
Total Water Department	**$1,469,761**	**$1,673,908**	**$1,873,464**

FINANCE COMMITTEE COMMENTS: This article approves the Water Department Operating and Capital Budgets for fiscal 2006. The operating budget reflects an increase of $200,000, or 11.9% from the 2005 budget. The increase is primarily for: 1) salary and health insurance increases of $46,000; 2) an increase of $35,000 for purchase of services. This includes: professional services expense primarily required to hire engineering consultants or other experts for various matters, including water quality and testing at projects, such as Raytheon, Danforth and others; an increase of $10,000 for water testing; and, $4,000 increase in cross connection fees, which is offset by fees charged back directly to the user; and 3) $119,000 increase in debt service for prior years' capital project. The total operating budget will be funded through fees billed for water use. There is no capital proposed in this year's budget. However, a capital request of $300,000 for the design and permitting for a proposed water treatment plant has been included as a separate article in this warrant.

ARGUMENTS IN FAVOR: This article authorizes the expenditure of funds needed to operate the Water Department. The expense increases are required due to negotiated contracts and health care costs increases, and to fund increases expenses to test and improve water quality.

ARGUMENTS OPPOSED: It could be argued that the Water Department should maintain its expense levels at the Fiscal 2005 level and not increase expenditures as noted above.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 7: WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET

Proposed by: Septage Committee *Estimated Cost: $702,546*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Septage Committee for the operation of the Wayland/Sudbury septage treatment facility; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

	EXPENDED FY 2004	APPROVED FY 2005	RECOMMENDED FY 2006
OPERATING BUDGET			
REGULAR WAGES	$117,482	$127,100	$131.034
TOTAL PERSONAL SERVICES	$117,482	$127,100	$131.034
PURCHASE OF SERVICES	$428,926	$464,600	$461,172
UTILITES	$39,991	$40,000	$45,000
DEBT SERVICE	$73,135	$65,340	$65,340
TOTAL EXPENSES	$542,052	$569,940	$571,512
TOTAL SEPTAGE DEPARTMENT	**$659,534**	**$697,040**	**$702,546**

FINANCE COMMITTEE COMMENTS: This article provides funds for the annual operation of the Wayland/Septage Treatment Facility. In addition to operating expenses, the budget includes a $40,000 reserve for extraordinary or unforeseen expenditures and $65,340 to pay the last annual debt and interest obligation.

FY 2004 Results (Unaudited Financial Results)

The Facility received $523,900 from various sources on a cash basis during FY 2004. This represents an increase in receipts of $66,411 over FY 2003. FY 2004 expenditures were $659,500. This represents an increase in expenditures of $102,099 from FY 2003. The positive income trend notwithstanding, the Facility had an operating loss in FY 2004 of $135,400. This represents an operating loss increase of $35,488 from FY 2003 when the Facility incurred a $99,912 operating deficit. A summary of FY 2004 results and a comparison to FY 2003 is presented below.

Operating Results	FY 2003	FY 2004	Variance
Receipts	$ 457,489	$ 523,868	$ 66,380
Expenditures	$(557,500)	$(659,534)	$(102,034)
Surplus/(deficit)	$(100,011)	$(135,666)	$ (35,654)

Accounts Receivables

The Facility has transitioned from a property based billing system to a hauler billing system. All property based accounts receivable outstanding have been liened. Haulers receivables totaled $83,598 at the end of FY 2004. This represents an increase in hauler receivables of $35,909. A new hauler receivable policy was implemented to address aged balances in the Fall of 2004.

Debt Service

The Facility is paying off the $640,000 1996 Sewer Facility Bonds. One principal and interest payment remains (FY 2006) before this debt service will be fully retired.

Retained Earnings

The retained earnings balance at June 30, 2004 is $548,855, a decrease of $65,737 from FY 2003. The FY 2005 budget anticipates using $156,056 in retained earnings to balance the budget. Another $105,124 of retained earnings is earmarked to balance the budget in FY 2006.

Future Issues-Permit Renewal

The Massachusetts Department of Environmental Protection (DEP) is currently reviewing the operating permit for renewal. The Septage Committee believes that there is a possibility that the renewal will require the installation of equipment to lower nitrogen effluent levels. The Committee estimates that it would cost approximately $750,000 dollars to upgrade the Facility to meet de-nitrification levels if required by the DEP.

ARGUMENTS IN FAVOR: This article provides adequate funds to operate the Facility. The Septage Committee has worked hard to increase revenues, streamline billing procedures, encourage hauler flow from neighboring communities, and reduce expenses with the goal of balancing the budget without using retained earnings in FY 2007. The Facility operates as an enterprise fund with no subsidy from the General Fund. The Facility represents a convenient, cost efficient treatment facility for the haulers and the Septage Committee argues that this is reflected in the rates being charged to the residents of Wayland and Sudbury.

ARGUMENTS OPPOSED: Based on current revenue and expense trends, the retained earnings will be reduced to an estimated $275,000 by the time the bond debt is retired in FY2006. This will leave a very slim reserve against unforeseen expenses. Moreover, the Facility has yet to post breakeven financial results before deducting debt service. A moratorium on new debt service coupled with revenue increases and/or expense reductions will be needed to maintain or rebuild retained earnings.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 8: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission *Estimated Cost: $181,090*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Wastewater Management District Commission for the annual operating expenses of the Wayland Wastewater Management District; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds appropriated for another purpose, by borrowing or otherwise.

WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET FY 2006

	EXPENDED FY 2004	APPROPRIATED FY 2005	REQUESTED FY 2006
Operating Expense			
Purchase of Services	$127,329	$185,327	$150,000
Debt Service	$29,851	$31,083	$31,090
Total Expenses	$157,180	$216,410	$181,090
Total Wastewater Mgmt Comm	**$157,180**	**$216,410**	**$181,090**
Anticipated Revenue	$220,700	$216,410	$149,590
Retained Earnings			$31,500
Actual Revenues	$202,591		
			$181,090

FINANCE COMMITTEE COMMENTS: This article continues the funding of the Wastewater Management District Commission, which owns and operates a wastewater treatment facility located at the Wayland Business Center (Congress Group) office complex. Nearby Route 20 residents and businesses and the new Public Safety building are users, the Town building and the library are potential users. A substantial portion of the facility's capacity is reserved for use by occupants of the office complex. The expenses of the system are borne by revenues from the users and by charges for betterments.

Although 2004 revenues surpassed expenses, water conservation efforts during the year by the users reduced the amounts from those anticipated, and will affect 2005 and 2006 results negatively unless development of Wayland Meadows housing on Rte. 27 and/or the Business Center proceeds. As of January 2005 approximately $200,000 was available from retained earnings to make up for lost revenue. If additional revenues do not materialize, at some time in the future it may be necessary to raise usage rates.

ARGUMENTS IN FAVOR: This article provides sufficient funds for the operation of the facility at present.

ARGUMENTS OPPOSED: There are none evident.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 9: TRANSFER CONTROL AND OPERATION OF SANITARY LANDFILL

Proposed by: Petitioners *Estimated Cost: None*

To determine whether the Town will vote to transfer, from the Board of Health to the Board of Road Commissioners, the care, custody, management and control of the present Wayland Sanitary Landfill and all of its land and improvements thereto, as well as all of its personnel, physical assets and

equipment of every kind, financial assets and liabilities, including all unexpended appropriations for fiscal years 2005 and 2006 and all other funds of whatever description, whether presently available or to become available in the future, and to transfer a portion of the unexpended appropriation of the health director's salary related to managing the Landfill for fiscal years 2005 and 2006 to the salary of the highway operations director. The purpose for which the aforementioned land is held shall not change.

PETITIONERS' COMMENTS: In 1996, Town Meeting transferred control of the Landfill from the Road Commission to the Board of Health, against the advice of the FinCom. The FinCom is now arguing against its former position, using the same reasoning it gave nine years ago! Recent labor problems at the Landfill have cost the Town hundreds of thousands of dollars, while the FinCom does nothing. The Landfill has 4 full-time employees, whereas the Highway Department has 16, yet the latter has few, if any, labor problems. Reason: the Commission provides active oversight, while the BOH provides none. Ask the BOH at Town Meeting what it has done to reduce labor problems over the past five years, aside from getting rid of employees. Ask the BOH whether it has ever met with Landfill employees to resolve their problems. Members will tell you it is not their job. It is time to stop the hemorrhaging.

FINANCE COMMITTEE COMMENTS: This article addresses the petitioners' concern that the Town's Sanitary Landfill, currently under the control of the Board of Health, is being mismanaged and lacks oversight and therefore, management control should be transferred to the Board of Road Commissioners.

Oversight and management of the day-to-day activities of the Wayland Landfill has been under the control of the Board of Health for about ten years. The Board of Health is responsible for the overseeing the management activities of the Director of Public Health and the Landfill Supervisor, both of whom manage the Landfill daily operations.

The petitioners believe that the Board of Road Commissioners, which runs the Highway department, is better suited to manage the Landfill because of the size and capabilities of the organization.

ARGUMENTS IN FAVOR: There is a possibility that the Board of Road Commissioners could more effectively manage the operations of the Landfill.

ARGUMENTS OPPOSED: The petitioners were not able to provide any evidence or hard data that shows that the Landfill would run more effectively under the Board of Road Commissioner's oversight. In addition, this article lacks the formal support of either the Board of Health or the Board of Road Commissioners to effectuate this change of control. At present, there has been no analysis to determine any costs associated with a transfer of control of the Landfill. Further business analysis of the issue and the development of a formal plan to transfer the Landfill operations between Boards would be a more practical approach.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 0-6

QUANTUM OF VOTE: Majority

ARTICLE 10: FUNDING FOR GARAGE STUDY

Proposed by: Board of Road Commissioners *Estimated Cost: $35,000*

To determine whether the town will vote to appropriate a sum of money to be expended by the Board of Road Commissioners and the Park and Recreation Commission to conduct a study to evaluate possible locations for a new or expanded joint Highway Department and Park and Recreation garage facility; and to determine whether such appropriation shall be provided by taxation, by transfer of unappropriated funds, by transfer of funds appropriated for another purpose, by funds received as grants from the Commonwealth or Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Board of Road Commission (BoRC) & Park and Recreation Commission (PRC) are jointly requesting $35,000 to undertake a study of the adequacy of the Town's garage facility, which is currently located on Main Street adjacent to the Middle School. The $35,000 estimate of study costs is based on a verbal quote from Weston & Sampson, an engineering firm that is assisting the Town with its study and design of a new salt shed.

Although terminology of the Article, as stated above, indicates the funding will be used to "conduct a study to evaluate possible locations for a new or expanded joint Highway Department and Park and Recreation garage facility", the scope of the study is actually much greater than evaluating just possible locations. The study will include, but not be limited to: a needs assessment of the Town's requirements for vehicle storage and maintenance; an assessment of the condition of the current facility to include future maintenance and capital costs; an assessment of the current facility's compliance with environmental and other regulations; an assessment of renovation of the current facility vs. relocation and new construction, as well as an evaluation of other potential sites. The primary new site under consideration is the so-called 'former DiCarlo Land' located near River Road in Wayland.

The BoRC and PRC opine that the Town has urgently needed increased garage space for many years and that the current space is woefully inadequate for the space needs of the Highway and Parks Departments. For example, environmental constraints with respect to the garage as it is now constructed make it illegal to wash department vehicles at the current site. Many vehicles are required to be kept outside year round thus diminishing their lifespan and reliability. Safety hazards exist relative to maintenance of the vehicles; since no vehicle lifts exist, maintenance personnel are required to work on their backs, outside the facility. The garage also has inadequate facilities for department staff such as lack of separate bathroom and shower facilities for male and female employees, inadequate locker room facilities, inadequate storage for tools and other items, and inadequate facilities for employees to eat and rest during long shifts encountered during snowstorms and other emergencies.

This study would identify and evaluate these and other issues and be a first step toward building a new facility or upgrading the current facility to support today's operations

ARGUMENTS IN FAVOR: A new or renovated garage facility will protect and preserve the Town's investment in heavy vehicles, which represent some of the town's most costly assets, and provide a safer and more productive environment for the Town's Highway and Park & Recreation employees. The study will help the Town ascertain and evaluate the needs of both the Highway and Park & Recreation Departments and determine the best location to consider a new or renovated facility. Renovation of or replacement of this facility has been proposed in some manner since the 1970's. An improved facility, specifically with capacity for environmentally safe vehicle washing, an enhanced environment for performance of vehicle maintenance procedures, and a safer and more

efficient workplace for employees will inevitably pay dividends to the Town. And finally, since the cost of $35,000 is just an estimate, the resulting study may cost less.

ARGUMENTS IN OPPOSED: The current financial condition of the Town with respect to operating budget deficits and short and long-term capital requirements cannot support either the study or the resultant renovation or new construction costs at this time.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 1 for approval, 5 against approval.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General laws Chapter 44, Section 7.

ARTICLE 11: SCIENCE CLASSROOM

Proposed by: School Committee *Estimated Cost: $402,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the School Committee for the purchase, set up, furnishing, and equipping of a two classroom/lab modular science building for Wayland High School, or for the renovation, furnishing, and equipping of space at Wayland High School to create two (2) science labs; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: As the High School enrollment has increased from 778 to 897 over the past 5 years, the number of students taking science programs has also increased, and the existing 7 science classrooms have become overcrowded. In the current year the total enrollment in science programs is 815, or 91% of the total. This percentage is expected to remain the same or increase in at least the next 5 years, during which time the total yearly enrollment is estimated to remain between 900 and 950 students, so the overcrowding will continue to be a problem.

The high usage of the science labs means that several science classes have to meet in non-science classrooms over the course of a week. Teachers are being forced to choose labs that require less time for set up and break down rather than choose the optimal labs that fit the curriculum. Lab work must be planned so that all materials are cleaned up by the end of a lab session to enable the next class to use the lab part of the classroom, or a class that might be "bumped" could not run any lab activities that day. Teachers must make compromises due to these space constraints, leading to fewer demonstration labs and hands-on experiences for students. In the opinion of the administration all this contributes to an overall degradation of the science program.

The Wayland School Committee proposes to add two science classrooms to alleviate the overcrowding. The largest enrollments are in biology and chemistry (255 and 226 students respectively), and the two proposed classrooms would be outfitted and used primarily for these subjects.

The School Committee proposes the purchase of a modular building housing two classrooms, each about 900 sq.ft., as the most desirable and cost effective approach. The building would be located near the present math-english building, although precisely where has not been determined. It would be

temporary and not built-in permanently. The classrooms would be fully equipped as science labs but would not include toilet facilities or covered walkways to the main buildings.

The School Committee investigated several modular building options including three and five year leases before concluding that outright purchase was the most desirable.

A three year lease was not considered to allow sufficient time to bridge the gap between the present and the completion of any possible new buildings. A five year lease might be sufficient, but as the construction of new buildings even within that time is uncertain, and as the trade off between leasing and purchase is approximately five years, outright purchase was considered to provide the most flexibility in case the buildings were needed beyond five years.

Costs were estimated by Turner Construction Company Educational Facilities Group They included construction, lease or purchase costs, all utility connections, contingencies, contractors fees, delivery, set up, dismantling, and return charges. In order to arrive at the final requested amount of $402,000 a furniture allowance of $50,000 was added to the building cost estimates. The School administration estimates the annual operational cost addition would be $35,000.

The possibility of renovating about 1600 sq.ft. of space in the math/english building was also debated. This might have been about $100,000 less in first cost, and $20,000 less in operating cost addition, but the labs and tutorial room would have to be relocated, either to other another modular building or to rooms in the administration/library building now housing the WayCam studios. In the first case, the additional costs would bring the totals at or above that for the outright purchase. Relocating WayCam appears equally expensive, and would not provide an equivalent space, since it occupies only about 1200 sq.ft. The School Committee, in addition, proposes to use that area for another purpose. (See Article 2 of the Special Town Meeting Warrant)

ARGUMENTS IN FAVOR: Science study represents one of the most important areas of the Wayland High School educational program, an area that is receiving national emphasis, and one that is chosen by a large percentage of Wayland students. It is vital to the quality of the science curriculum that there be sufficient room for the classes and sufficient time to hold them, neither of which conditions now exists.

The addition of added space by the purchase of a temporary modular building holding two science classrooms is the best approach to address both problems now, as it is anticipated that conditions will worsen in the future with rising enrollment

Because of the necessity of providing space at additional cost for the present computer labs and the SPED room in the case of renovation, that is not, in total, the least expensive alternative when compared to buying a modular building. Leasing the building for five years represents a cost equivalent to that of purchase and shorter leases are not realistic.

The modular approach gives the school more space and consequently more flexibility overall should, in the future, the administration decide to change the allocation of space.

The useful life of a modular building is estimated to be at least 10 to 15 years, and it is possible that there might be some residual value to the building More importantly, the modular, if purchased, could be used for other types of classrooms in the future if enrollments in science courses shift or in fact decline relative to the total, or they could possibly be used for other school or Town purposes.

ARGUMENTS OPPOSED: Although classrooms at the school are overscheduled, the present costs of operating the Town are so high that it is unwise to impose the additional burden of capital and operating costs of this magnitude. It would be more prudent to persist with the science laboratory conditions as they now are pending a change in the Town's financial condition or the construction of a new facility.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General laws Chapter 44, Section 7.

ARTICLE 12: BALDWIN POND WATER TREATMENT PLANT – DESIGN AND PERMITTING

Proposed by: Water Commissioners *Estimated Cost: $300,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for the design of a water treatment plant at the Baldwin Pond Wellfield; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, or otherwise.

FINANCE COMMITTEE COMMENTS: This article appropriates $300,000 to be expended by the Water Commissioners for the design and permitting a water treatment plant at the Baldwin Pond well-field. The requirement for the water treatment plant is a preemptive action by the Water Commissioners to improve water quality and to purify the water due to recent incidents of "dirty water" and higher evidence of manganese and iron, although still within acceptable levels. Also, it is expected that the state and federal government will issue mandates that water be pumped through treatment facilities.

In 2003, town meeting approved the expenditure of $75,000 for the study of treatment facility alternatives. This study has resulted in a solution that the Water Commissions believe will provide the best level of filtration while complying with expected state and federal regulations. Construction of a treatment facility would cost approximately $5 million and construction would begin in approximately one year, subject to a future town meeting approval. One treatment plant would only cover part of the town and a second facility at the Happy Hollow wells would be required in the future, with an estimated cost of $2.3 million.

ARGUMENTS IN FAVOR: The higher incidence of "dirty water" and higher contents of iron and manganese require that water be treated through a filtration system. If the water is not treated and the water quality deteriorates, the Baldwin Pond wells and pumping station might have to be closed. In this event (although unforeseen), all water for the town would have to be pumped from the Happy Hollow wells, which would be sufficient to provide water to the residents, however, it would require strict conservation and a ban on outside watering. Construction of this facility would alleviate the problem. Other benefits of a filtration system will be: extending the life of piping; will meet strict governmental drinking water regulations; and, there should be an improvement in the taste of the water. The design and permitting as requested by this article is the first step in the construction process.

ARGUMENTS OPPOSED: The overall cost of this facility plus a second one required to serve the entire town would be in excess of $7 million ($5 million for the Baldwin facility expected to begin in 2006 and a facility at Happy Hollow to be constructed at a later date estimated to cost $2.3 million). The total cost for both treatment plants could add approximately $100 annually to the average homeowner's water bill, which may be considered too expensive. In addition, the treatment plant would have to be manned by water department personnel. This may add additional operating cost to the annual budget. Also, state and federal regulations have not been finalized and it is possible that the solution selected by the Water Commissioners may not comply with these regulations once finalized.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General laws Chapter 44, Sections 7 and 8.

ARTICLE 13: TOWN WIDE FULL LIST AND MEASURE OF PROPERTIES FOR FY 2006

Proposed by: Board of Assessors *Estimated Cost: $250,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Assessors for the purpose of analytical update and revaluation services for all real, exempt and personal properties in Wayland, and the implementation of upgraded software, according to the requirements of the Commonwealth of Massachusetts Department of Revenue; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: The Board of Assessors (the BoA) has requested approximately $250,000 to be used for a Town-wide Full Measure and List; this includes inspection and review of all residential, commercial, exempt and personal properties in Wayland, to be done subsequent to the purchase of a new software system. In FY 2005 the BoA received $40,000 in funding to purchase the new software system.

The BoA conducts full revaluations requiring State certification on a three year cycle to comply with State law; FY 2006 is such a triennial certification year for Wayland. The State of MA now requires yearly interim revaluations in addition to the normal three year full revaluation; FY 2005 was the first interim revaluation conducted in Wayland. The triennial certification does not include the more complete inspections used for a Full Measure and List – the triennial contains its own set of "drive-by" data verification "inspections." The Full Measure and List is a separate effort, usually spread over 9 or 10 years as the cyclical inspection program. Years ago the Town used to inspect 1/3 of the parcels every three years; however, for the past four years it has been using the 9/10 year cyclical inspection program, as approved by the State.

When the BoA purchases and implements a new valuation software system, the State of MA requires "…a full field review of all data and the new valuations of all parcels…" This means at least a drive-by inspection of all properties in Wayland, to verify that the new software system reflects appropriate data. Wayland has never before performed a town-wide Full Measure and List in one year, according to the collective memory of the present staff dating back to 1988.

The BoA will need approximately $250,000 to conduct a town-wide Full Measure and List inspection of all real, exempt, and personal properties, in one year. The BoA expects to have a better estimate for the Full Measure and List expense in time for ATM after receiving formal Proposals expected at the beginning of April 2005.

ARGUMENTS IN FAVOR: The Board of Assessors believes it is in the best interests of all taxpayers in Wayland to approve this expenditure to conduct a full town-wide Measure and List inspection of all real, exempt, and personal properties in one year, which when combined with updated software, will better provide for full, fair and equitable assessment of all properties in Town. The Board of Assessors anticipates implementing a new software system in FY2006. Given that the State requires at least a drive-by inspection of all properties when changing software, this would be the optimal time economically to take the opportunity to go the extra step and perform the Full Measure and List.

The BoA believes that many of the property record cards in its current data base may not be up to date and/or may be inaccurate. As a result, many properties are either overvalued or undervalued, as are the resulting assessments. The system that is currently being used by the BoA for Mass Appraisals is more than 25 years old. There are more new homes at the high end of the market, more large renovations and teardowns, and a data collection system and database constrained by age and computer system limitations. When the BoA replaces the computer system, it will retain the same data in the data base, which limits the accuracy of the assessments. A one-time Full Measure and List takes a snapshot of the entire town in one year. Without more advanced data, any new computer system may not show an improvement in assessing since it uses the same data as before. And until the Town gathers the same data uniformly for all properties, by law it cannot use any of the advanced data for any property.

Wayland is in serious need of more detailed inspections of all properties, including interior and exterior inspections. The reasons for this include:

1. long delays between inspections due to the ten-year cyclical inspection cycles;
2. rapid changes in the real-estate market in Massachusetts, including Wayland;
3. new construction in Wayland, particularly at the higher end of the market;
4. the addition of many properties with very large buildings including a great many amenities and selling at high values, often due to tear-downs of existing buildings;
5. problems with outdated computer software keeping up with changes in building characteristics and amenities affecting value;
6. problems with outdated computer software keeping up with changes affecting land value;
7. lack of published standard characteristics for property inspections.

The Wayland BoA and its and staff have not been able to keep up with the necessary inspections in the face of factors such as rapidly moving and changing real estate markets, new growth, renovation, and substantial upgrading of existing properties. As a result not only is the data in the current system inadequate and potentially inaccurate, but at the same time, developments in computer software have provided more and better tools for assessing. More accurate property record data and valuation systems will help provide fair assessments while full valuation could reduce the tax rate for all property owners in Wayland.

ARGUMENTS OPPOSED: The cost of the Full Measure and List inspection of all real, exempt, and personal properties is too great at a time when the Town is facing a tight financial year, FY 2006, with a Proposition 2 1/2 override scheduled for Wayland's taxpayers. The cost would further strain the

budget, possibly necessitating cuts in other Town projects or services since the Town does not have adequate cash to fund this Article if passed.

The BoA has the right to inspect and should be inspecting all properties when building permits are pulled or when the properties are sold, so that it could update its property record cards at that time. Approximately 15% of the properties in Wayland pull building permits and are sold each year, which would allow the BoA to cycle through inspections of many of the properties without the Full Measure and List Inspection. In addition, The BoA currently revalues the properties in Wayland on a three year cycle. Such an extended cycle could be utilized with inspections to spread the cost of updating the information on those properties, which have not pulled permits or been sold, over several years.

The BoA is still evaluating different software programs to replace its current system and may not have selected a new system by ATM. All valuation systems have benefits and shortfalls and the new system, including Full Measure and List inspection of all real, exempt, and personal properties may not solve many of the problems faced by the BoA. In addition, many homeowners may not want the planned interior and exterior inspections. And finally, although improving the accuracy and fairness of the assessments is a necessary and worthwhile goal, it is too expensive to pursue in the Town's current fiscal environment and it will not increase the amount of tax dollars raised by the down – it will only redistribute the tax base.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 14: APPROPRIATION OF MONEY FOR THE BOARD OF ASSESSORS TO ANALYTICALLY UPDATE REVALUATION SERVICES AND INSTALL UPDATED SOFTWARE

Proposed by: Petitioners *Estimated Cost: $250,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Assessors for the purpose of analytical update and revaluations services for all real, exempt and personal properties in Wayland, and installation of upgraded software, according to the requirements of the Commonwealth of Massachusetts Department of Revenue, and to determine whether such appropriation shall provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

PETITIONERS' COMMENTS: When ATM convenes, the BoA expects to have contracted a new computer system. The current system is badly outdated. Building materials have changed, life styles are different, and buyers' expectations have increased. Amenities such as family rooms adjoining kitchens are common in new construction and are often a feature of renovations and additions. The current system doesn't account for these, nor does it consider depreciation.

To obtain state certification, the BoA changed PRC data to bring assessments to sale price. Therefore, much data is lacking or incorrect.

Data must be correct and complete for equitable assessments, which is what the state requires and

what Wayland voters have requested in multiple ways. An inspection of all properties should be completed within a year.

Wayland taxpayers should correctly assume that, according to current market value of real estate, increased town spending implies proportionately changed rates. This affects all taxpayers, uniquely and individually.

FINANCE COMMITTEE COMMENTS: The Board of Assessors (the BoA) has requested approximately $250,000 to be used for a Town-wide Full Measure and List; this includes inspection and review of all residential, commercial, exempt and personal properties in Wayland, to be done subsequent to the purchase of a new software system. In FY 2005 the BoA received $40,000 in funding to purchase the new software system.

The BoA conducts full revaluations requiring State certification on a three year cycle to comply with State law; FY 2006 is such a triennial certification year for Wayland. The State of MA now requires yearly interim revaluations in addition to the normal three year full revaluation; FY 2005 was the first interim revaluation conducted in Wayland. The triennial certification does not include the more complete inspections used for a Full Measure and List – the triennial contains its own set of "drive-by" data verification "inspections." The Full Measure and List is a separate effort, usually spread over 9 or 10 years as the cyclical inspection program. Years ago the Town used to inspect 1/3 of the parcels every three years; however, for the past four years it has been using the 9/10 year cyclical inspection program, as approved by the State.

When the BoA purchases and implements a new valuation software system, the State of MA requires "...a full field review of all data and the new valuations of all parcels..." This means at least a drive-by inspection of all properties in Wayland, to verify that the new software system reflects appropriate data. Wayland has never before performed a town-wide Full Measure and List in one year, according to the collective memory of the present staff dating back to 1988.

The BoA will need approximately $250,000 to conduct a town-wide Full Measure and List inspection of all real, exempt, and personal properties, in one year. The BoA expects to have a better estimate for the Full Measure and List expense in time for ATM after receiving formal Proposals expected at the beginning of April 2005.

ARGUMENTS IN FAVOR: The Board of Assessors believes it is in the best interests of all taxpayers in Wayland to approve this expenditure to conduct a full town-wide Measure and List inspection of all real, exempt, and personal properties in one year, which when combined with updated software, will better provide for full, fair and equitable assessment of all properties in Town. The Board of Assessors anticipates implementing a new software system in FY2006. Given that the State requires at least a drive-by inspection of all properties when changing software, this would be the optimal time economically to take the opportunity to go the extra step and perform the Full Measure and List.

The BoA believes that many of the property record cards in its current data base may not be up to date and/or may be inaccurate. As a result, many properties are either overvalued or undervalued, as are the resulting assessments. The system that is currently being used by the BoA for Mass Appraisals is more than 25 years old. There are more new homes at the high end of the market, more large renovations and teardowns, and a data collection system and database constrained by age and computer system limitations. When the BoA replaces the computer system, it will retain the same data in the data base, which limits the accuracy of the assessments. A one-time Full Measure and List takes a snapshot of

the entire town in one year. Without more advanced data, any new computer system may not show an improvement in assessing since it uses the same data as before. And until the Town gathers the same data uniformly for all properties, by law it cannot use any of the advanced data for any property.

Wayland is in serious need of more detailed inspections of all properties, including interior and exterior inspections. The reasons for this include:

1. long delays between inspections due to the ten-year cyclical inspection cycles;
2. rapid changes in the real-estate market in Massachusetts, including Wayland;
3. new construction in Wayland, particularly at the higher end of the market;
4. the addition of many properties with very large buildings including a great many amenities and selling at high values, often due to tear-downs of existing buildings;
5. problems with outdated computer software keeping up with changes in building characteristics and amenities affecting value;
6. problems with outdated computer software keeping up with changes affecting land value;
7. lack of published standard characteristics for property inspections.

The Wayland BoA and its and staff have not been able to keep up with the necessary inspections in the face of factors such as rapidly moving and changing real estate markets, new growth, renovation, and substantial upgrading of existing properties. As a result not only is the data in the current system inadequate and potentially inaccurate, but at the same time, developments in computer software have provided more and better tools for assessing. More accurate property record data and valuation systems will help provide fair assessments while full valuation could reduce the tax rate for all property owners in Wayland.

ARGUMENTS OPPOSED: The cost of the Full Measure and List inspection of all real, exempt, and personal properties is too great at a time when the Town is facing a tight financial year, FY 2006, with a Proposition 2 1/2 override scheduled for Wayland's taxpayers. The cost would further strain the budget, possibly necessitating cuts in other Town projects or services since the Town does not have adequate cash to fund this Article if passed.

The BoA has the right to inspect and should be inspecting all properties when building permits are pulled or when the properties are sold, so that it could update its property record cards at that time. Approximately 15% of the properties in Wayland pull building permits and are sold each year, which would allow the BoA to cycle through inspections of many of the properties without the Full Measure and List Inspection. In addition, The BoA currently revalues the properties in Wayland on a three year cycle. Such an extended cycle could be utilized with inspections to spread the cost of updating the information on those properties, which have not pulled permits or been sold, over several years.

The BoA is still evaluating different software programs to replace its current system and may not have selected a new system by ATM. All valuation systems have benefits and shortfalls and the new system, including Full Measure and List inspection of all real, exempt, and personal properties may not solve many of the problems faced by the BoA. In addition, many homeowners may not want the planned interior and exterior inspections. And finally, although improving the accuracy and fairness of the assessments is a necessary and worthwhile goal, it is too expensive to pursue in the Town's current fiscal environment and it will not increase the amount of tax dollars raised by the down – it will only redistribute the tax base.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 15: ACQUIRE LAND OF GILBERTS ON BRACKETT ROAD

Proposed by: Conservation Commission *Estimated Cost: Unknown*

To determine whether the Town will vote to:

1. authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for conservation purposes, the fee or any lesser interest in all or part of the parcel of land located on Brackett Road, Wayland Massachusetts, containing, in the aggregate, 94,865 square feet, more or less, shown as Parcel G (Parcels E and F) on a plan entitled "Plan of Land in Wayland, Massachusetts", dated September 19, 2000, prepared by Sullivan, Connors & Associates, and recorded with the Middlesex South Registry of Deeds as Plan No. 1214 of 2001, a copy of which plan is on file in the Office of the Town Clerk;

2. appropriate a sum of money to compensate the owner and/or acquire said parcel of land; and

3. provide for said appropriation by taxation, transfer from unappropriated available funds, transfer from funds appropriated for other purposes, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: The Conservation Commission proposes to acquire all or part of the above described land at Nob Hill / Brackett Road known as the "Gilbert Land".

This property, with two adjoining pieces of land, has been the subject of a number of applications filed by the owner with the Planning Board, Board of Appeals, and Conservation Commission. All of the applications have resulted in litigation, some of which are still outstanding.

The land forms a large U around residences on Nob Hill Road and Bracket Hill Road and abuts land owned by the Town along Mill Pond, which is under the care of the Park & Recreation Commission. The land is in close proximity to Mill Pond, Mill Brook and the Lower Mill Brook Conservation Area. There are some large wetland areas on the property and an approved two-lot subdivision exists resulting from litigation with the Town. How other outstanding litigation may impact that subdivision is at this writing not clear. The land, with its existing trails and wetlands, has been identified on the Draft Open Space Map as meriting some form of protection.

The Town has reached an agreement with the current owner to better identify areas protected by the Wetlands Protection Act and more importantly, the Wetlands Bylaw. This recently prepared and signed agreement permits a Town representative to go to the property and make some determination of resource areas to provide input to an appraiser who in turn will make an appraisal of the land for the Town. Once this point has been reached further discussions with the owner will be possible. The intent has been to pursue these negotiations in a timely manner for an annual Town Meeting vote; however, the process has been prolonged due to the weather conditions and the length of time it took to get an agreement to enter the land.

ARGUMENTS IN FAVOR: Acquisition of the land will protect important resource areas identified on the Open Space map. Also, purchase of the land could potentially resolve the current litigation between the Town and the property owner.

ARGUMENTS IN OPPOSED: If the Town acquires the land, no development will take place, thus eliminating a source of future real estate tax revenue. Given the Town's current financial situation, funding such a purchase at this time may not be the best use of the Town's limited financial resources.

RECOMMENDATION: Since the Town's acquisition of the land referred to in this Article is dependent on a physical assessment of resource areas within the property, an appraisal and a signed Purchase and Sale agreement between the Town and the property owner, and as of the date of this writing, none of the above has occurred, the Finance Committee reserves recommendation on this article until Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40, Section 14, and Chapter 44, Section 7.

ARTICLE 16: COMPENSATION FOR ELECTED OFFICIALS

Proposed by: Board of Selectmen *Cost: $70,192*

To determine whether the Town will vote to fix the salaries and compensation of all elected officers of the Town effective July 1, 2005, which salaries and compensation are printed below.

SALARY SCHEDULE – ELECTED TOWN OFFICIALS

		FY 2005	FY 2006	
Town Clerk		$61,681	$65,117	*
Assessors	(Chairman)	$1,600	$1,600	
	(2 @ $1,500)	$3,000	$3,000	
Board of Health	(5 @ $50)	$250	$250	
Water Commissioners	(3 @ $75)	$225	$225	
TOTAL		**$66,756**	**$70,192**	

* Salary for FY 2005 was unchanged from FY 2004. The amount shown for FY 2006 reflects a 2% increase as of 1/1/05 and a 3.5% increase as of 7/1/05 given, or expected to be given, to all non-union employees.

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to pay the Town Clerk and various elected officials. The salary of the Town Clerk does not fall within the Personnel Wage and Salary Classification Plan, because it is an elected position. As a result, Town Meeting must approve pay increases for the Town Clerk. Appointed Department heads enjoy benefits not available to elected officials, such as automatic step increases, merit increases that recognize performance, and cost of living adjustments. The only course of action for the Town Clerk is to place an article in the Warrant and a line item in the budget (the article sets the salary, the budget appropriates the monies) calling for a salary increase.

ARGUMENTS IN FAVOR: The salaries proposed reflect a fair and in some cases minimal compensation for work performed.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any arguments in opposition.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6-0

However, it should be noted that the compensation for the Board of Health and Board of Assessors members was removed from the Fiscal Year 2006 budget as part of the budget reduction process.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108.

ARTICLE 17: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen *Estimated Cost: Unknown*

To determine whether the Town will vote to:

(a) pay the following bill(s) of prior Fiscal Years:

(b) appropriate a sum of money for the payment of the foregoing bills of prior fiscal years; and

(c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. At the printing of the warrant there were no known unpaid bills.

ARGUMENTS IN FAVOR: This is a bill for services that the Town has received, and it should be paid.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Four-fifths – see Massachusetts General Laws Chapter 44, Section 64.

ARTICLE 18: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Selectmen and Board of Assessors

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2006.

FINANCE COMMITTEE COMMENTS: This is an annual article that provides for tax exemptions to assist elderly and other fixed-income residents. With passage of this article at each Annual Town Meeting, certain residents may avail themselves of exemptions in the following amounts: $350 for widow/widower; $875 for the blind; $1000 for the elderly; and $500 for disabled veterans. The title of the Article refers to "*Increasing* Real Estate Tax Exemption Amounts" because the exemptions listed above are double the amounts in the state statute. This Article does not propose an increase over the exemption granted in last year's Article. Further, the exemption shall not result in any taxpayer paying less than the taxes paid in the preceding fiscal year. In FY04, 124 taxpayers were granted exemptions for a total of $91,786 in tax relief.

ARGUMENTS IN FAVOR: This article adds minimal tax burden to each taxpayer and provides needed support to the elderly and certain residents coping with the increasing burden of paying property tax on fixed incomes.

ARGUMENTS OPPOSED: To allow the exemptions to eligible residents, the other taxpayers must pay more tax.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Section 4 of Chapter 73 of the Acts of 1986.

ARTICLE 19: REVOLVING FUND FOR COUNCIL ON AGING

Proposed by: Council on Aging

To determine whether the Town will vote to authorize the continuance of a revolving fund pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws for the Council on Aging; and to determine: (1) the programs and purposes for which such revolving fund may be expended; (2) the departmental receipts which may be credited to such revolving fund; (3) the board or officer(s) authorized to expend monies from such fund; and (4) the total amount that may be expended from such fund in Fiscal Year 2006.

FINANCE COMMITTEE COMMENTS: In 1994, the Town established a revolving fund for the Council on Aging. This article authorizes the continued use of the fund through the end of FY06. The revolving fund is funded by users' fees from Council on Aging programs and allows the Council to provide and pay for services at no budgetary cost to the Town.

PROS: This article will permit an additional year of financial management of fees obtained by the Council on Aging, which provide services to a valued segment of the Town's population.

CONS: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44, Section 53E ½.

ARTICLE 20: WATER DEPARTMENT ENTERPRISE FUND

Proposed by: Petitioners

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53F ½ to establish an enterprise fund for the maintenance and operation of the Water Department.

FINANCE COMMITTEE COMMENTS: This article if adopted would create an enterprise fund for the Water department. Although the water department has been separately accounted as a separate fund within the town's budgeting and reporting, it is not formally established as an enterprise fund as provided under the Massachusetts General Laws. By establishing an enterprise fund water department revenues could only be used for water department expenditures. No other aspects of the Water

Department operations as it currently exists would change, including the approval of the operating budget by town meeting and the autonomy and authority of the water commissioners.

ARGUMENTS IN FAVOR: The primary benefit is that water revenues could only be used for water department expenditures. By accepting the enterprise fund, water surpluses can not be taken into the Town's General Fund. This is the case in fiscal 2006 as the Finance Committee has proposed to use $500,000 of water surpluses to help minimize the proposed override, although the Water Commissioners objected to the use of these funds. Also, a representative of the MA Department of Environmental Protection stated that the "Department of Environmental Protection encourages all municipal water departments to establish a dedicated enterprise fund and replacement account for the accrual, management and disbursement of water user fees and charges exclusively for purposes relating to the operation, maintenance and replacement of the Water System. As to maintain positive cash flow and adequate capital to replace equipment, an emergency cash reserve should be held sufficient to replace the most expensive piece of equipment in the system and be able to support the system for one (1) year's operation and maintenance cost."

ARGUMENTS OPPOSED: There are two primary arguments opposed to establishing an enterprise fund:

1) Water department free reserves (or "free cash") can not be used for the general fund. In the last year the water department has generated "profits" in water department operations. This was generated by a decision of the water commissioners to raise water rates to promote water conservation, which resulted in over $500,000 of profit (revenues minus expenditures). It is expected that fiscal 2005 will also generate a similar profit. The 2005 action of the Finance Committee to take $500,000 of water department free reserves does not affect the ability of the water department to fully fund its operations, nor did the Finance Committee reject any request of the Water Commissioners. In addition, the Water Department's requirement for capital expenditures is not impacted by this transfer. Capital expenditures are typically borrowed because of the town's favorable borrowing rate, plus capital expenditures benefit future operations and should be paid by in the future as these benefits are realized. They should not be funded by current users who are paying higher water rates than normal.
2) Water Department "free" reserves are included in the Town's free reserves when measured by the bond rating agencies, which is one of the measures used to rate a town. Wayland has received Moody's highest bond rating, which allows Wayland to borrow at a lower rate and results in lower interest expense. Under an enterprise fund, Water Department free reserves could not be aggregated with town reserves for the bond agencies. This might negatively impact the town's bond rating. To offset this impact, Town free cash would have to increase which in future budgets might require reduced expenditures or higher revenue.

RECOMMENDATION: Finance Committee recommends against approval. Vote: 0 in favor of the article; 7 against the article.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44, Section 53F ½.

ARTICLE 21: ESTABLISH DESIGNATED ACCOUNT FOR DANFORTH PROJECT MITIGATION FUNDS

Proposed by: Petitioners

To determine whether the Town will vote to direct and instruct the Wayland Board of Selectmen, the Town Administrator, the Finance Committee and Finance Director {if and when the Town of Wayland settles its legal action against the Town of Framingham and any other persons, firms, or other entities associated with said settlement including, without limitation, the property owner and/or identified developer, further to Framingham's issuance of a special permit granting the property owner and/or developer permission to build a Planned Unit Development known as the Villages at Danforth Farm} to establish a separate and distinct designated bank account, pursuant to M.G.L. c. 44, section 53A, into which any and all monies received by the Town shall be deposited as a result of the full and final execution of settlement and corresponding agreement(s). The use of such monies shall be limited only to mitigating direct impacts to Wayland's roadways, abutting properties and drinking water quality as a result of the construction of the aforementioned Framingham PUD project. Any and all expenditures from this designated bank account shall be made in accordance with the documents titled "Settlement Agreement" dated January 18, 2005 between the Town of Wayland and National Development Associates of New England, Inc. and the "Estimated Allocations Per Board of Selectmen Decision" dated February 7, 2005 and signed by the Wayland Board of Selectmen.

PETITIONERS' COMMENTS: At the 2003 Annual Town Meeting (ATM), voters approved a petitioned article asking Wayland Selectmen to fund the pursuit of any and all legal avenues of appeal of the Framingham Planning Board special permit of National Development's proposed housing project, a.k.a the "Villages at Danforth Farm." As the December 15, 2004 warrant article deadline approached for this 2005 ATM, and as a negotiated settlement of this litigation seemed possible, Petitioners submitted two warrant articles seeking to support what is hoped to be a positive and protective outcome for the Town of Wayland. Ongoing changes in Wayland's governmental structure, current fiscal challenges, changes of various employees and town officials actively working on this matter, and the proposed long-term phasing of the Danforth project prompt Petitioners to continue this legislative history, including documenting the management of whatever mitigation funds may be gifted to the Town by the developer.

FINANCE COMMITTEE COMMENTS: This article addresses the petitioner's concerns that all monies received from the settlement of the Towns' appeal of the special permit issued with respect to the proposed Danforth Farm project in Framingham, MA will be segregated in a separate bank account and that the funds be used to fund only project related mitigation costs.

In April, 2003, The Town of Framingham Planning Board issued a special permit to National Development Associates of New England, Inc. to construct a planned unit development for 665 housing units. On May 5, 2003, the Town of Wayland filed a legal appeal of the special permit issued citing concerns over the project's impact on traffic volume, pedestrian safety, drinking water supply and increased public safety response responsibilities. In January 2005, following extensive discussions and negotiations the Town of Wayland's Board of Selectmen reached an agreement to settle and dismiss the appeal. The settlement agreement called for a 20% reduction in the size of the project from 665 units down to 525 units and in addition, the developer would gift or donate to the Town $1.45 million to be used to pay for various projects and services to mitigate the impact of the Danforth project on the Town. The settlement agreement provides that following the execution of the agreement and the dismissal of the appeal the developer will gift the following monies to the Town;

1. Upon delivery of executed agreement and stipulation,

For use by Board of Selectmen	$ 100,000
Design fund for intersection OCP/West Plain	50,000
2. Upon receipt of project approvals for the first phase,	
For use by Board of Selectmen	250,000
3. Upon the commencement of construction,	
For use by Board of Selectmen	650,000
Construction of intersection OCP/West Plain	400,000
Total	$1,450,000

While the settlement agreement places broad restrictions on the use of funds by limiting the expenditures to project related mitigation costs, on February 7, 2005 the Board of Selectmen with input from the Road, Conservation and Water Commissioners, drafted and signed an estimated allocation of the settlement proceeds that provided for specific uses that would best mitigate the project's impact on the Town. In summary, the Board's allocation provided for the following uses:

Traffic mitigation/roadway improvements	$1,200,000
Payment of settlement related professional fees	100,000
Conservation/watershed management	120,000
Contingency	30,000
Total	$1,450,000

Further, in early March Wayland's Town Counsel provided written clarification regarding the legal requirements relative to the receipt, custody and expenditure of the donation. M.G.L. c. 44, section 53A authorizes Town officers to accept gifts without a town meeting vote. In addition, the gifted or donated funds may be expended for the purposes of the gift with the approval of the Board of Selectmen without a town meeting vote. Any town meeting vote relative to the expenditure of these funds would be advisory only. All such funds received must be deposited with the Town Treasurer, who must hold them in a separate account. Town Counsel also reviewed the Board's estimated allocation of the settlement proceeds and opined that the uses of gifted funds are allocated consistent with the purposes set forth in the agreement.

ARGUMENTS IN FAVOR: The article does provide guidance in an advisory capacity for future Board of Selectmen to follow in connection with authorizing mitigation expenditures related to the Danforth project.

ARGUMENTS OPPOSED: The Finance Committee views this article as fiscally sound, however, since the article's requirements are incorporated in the settlement documents the article is not be necessary.

RECOMMENDATION: The Finance Committee recommends against the approval of this article. Vote: Unanimous.

QUANTUM OF VOTE: Majority

ARTICLE 22: FULL PUBLIC DISCLOSURE OF DANFORTH LITIGATION SETTLEMENT

Proposed by: Petitioners

To determine whether the Town will vote to direct and instruct the Wayland Board of Selectmen, its representatives and/or any and all other persons, firms or other entities representing Wayland's interest, if and when the Town of Wayland settles its legal action against the Town of Framingham and any other persons, firms, or other entities associated with said settlement including, without limitation, the property owner and/or identified developer, further to Framingham's issuance of a special permit granting the property owner and/or developer permission to build a Planned Unit Development known as the Villages at Danforth Farm, to fully and completely disclose to the Public any and all settlements made to resolve the court action without further litigation as documented by fully executed agreements (and corresponding releases, if any) with any and all attachments by way of exhibits, addendums or otherwise, without any omissions or redactions whatsoever. Photocopies of the complete and unredacted final settlement documents as filed in Court (and corresponding releases, if any) shall be provided to the Public, free of charge, in hard-copy form at the Wayland Board of Selectmen's Office in the Town Building promptly upon full execution of the full and final settlement.

PETITIONERS' COMMENTS: On January 18, 2005, Wayland Selectmen announced that the Town and National Development, proponent of the Danforth Farm housing project, had entered into a negotiated settlement. The executed settlement agreement and other related paperwork are available to interested townspeople at the Selectmen's Office in Town Hall. While Petitioners acknowledge the release of this information, there are still a number of conditions contained in such agreement that need to be satisfied, including the Town of Framingham's execution of the Stipulation of Dismissal which will eventually be filed in court ending the litigation among all parties. Since it is still not clear whether all settlement conditions disclosed to date will prevail, or whether modifications may need to be negotiated, Petitioners believe that passage of this article will ensure the continued full disclosure of any and all documents related to the final settlement.

FINANCE COMMITTEE COMMENTS: This article addresses the Petitioners concern that the Town and its officials fully and completely disclose to the public any settlement made in connection with the Town's appeal of the special permit issued with respect to the proposed Danforth Farm project in Framingham, MA.

In April 2003, The Town of Framingham Planning Board issued a special permit to National Development Associates of New England, Inc. to construct a planned unit development for 665 housing units. On May 5, 2003, the Town of Wayland filed a legal appeal of the special permit issued citing concerns over the project's impact on traffic volume, pedestrian safety, drinking water supply and increased public safety response responsibilities. In January 2005, following extensive discussions and negotiations the Town of Wayland's Board of Selectmen reached an agreement to settle and dismiss the appeal. The settlement agreement called for a 20% reduction in the size of the project from 665 units down to 525 units and in addition, the developer would gift or donate to the Town $1.45 million to be used to pay for various projects and services to mitigate the impact of the Danforth project on the Town.

To date three principal documents in connection with the settlement have been disclosed to the public and reviewed by the Finance Committee.

- Settlement Agreement dated January 18, 2005 between the Town of Wayland and National Development Associates of New England, Inc.

- Estimated Allocation Per Board of Selectmen Decision dated February 7, 2005
- Memo by Wayland Town Counsel dated March 10, 2005

ARGUMENTS IN FAVOR: The Town fully disclosing the terms of any financial settlement that benefits the Town serves the best interests of the voters and taxpayers.

ARGUMENTS OPPOSED: The petitioner could use other means, such as the Freedom of Information Act or a public document request to achieve the same result as this article.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 5-1

QUANTUM OF VOTE: Majority.

ARTICLE 23: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of the following surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment, or other personal property.

Department	Vehicle/Equipment	Year
Water	Case Tractor L/Backhoe	1986
Water	Ford Ranger Pickup	1995
Water	GMC Jimmy S1500 Utility Truck	1988
Highway	Ford F350 15,000 GVW Dumptruck	1994
Highway	Trojan 200Z 3 yard front end loader	1988

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to sell used vehicles or other personal property.

ARGUMENTS IN FAVOR: The selling of used property contributes to the Town's general fund.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE 24: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, by devise, or otherwise.

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to accept gifts of land. At the time of the printing of the Warrant, there were no known gifts of land.

ARGUMENTS IN FAVOR: Acquisition of land by the Town gives the Town more control over the use of such land.

ARGUMENTS OPPOSED: Land given to the Town may result in a slight loss of taxable real estate.

RECOMMENDATION: The Finance Committee defers a recommendation until Annual Town Meeting. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE 25: AUTHORIZE TREASURER TO BORROW

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow monies from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2005, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4 and Chapter 849 of the Acts of 1969, both as amended, and to issue a note or notes therefor, payable within one year, and to renew any note or notes that may be given for a period of less than one year in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 17, as amended.

FINANCE COMMITTEE COMMENTS: This standard article provides for short-term borrowing in case of need, pending collection of real estate taxes.

ARGUMENTS IN FAVOR: This article allows the Town flexibility in managing its finances.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws, Chapter 44, Section 4.

ARTICLE 26: AMEND SECTION 702.1 OF THE ZONING BY-LAWS

Proposed by: Planning Board

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, by making the following revisions to §198-702.1 thereof:

(deletions are indicated in ~~strikethrough lettering~~, and insertions are indicated in <u>underlined lettering.</u>)

§198-702.1. Setbacks
All buildings or structures in any residence district shall comply with the setbacks in § 198.801 Table of Dimensional Requirements. The setbacks shall apply to any public or private street right-of-way whether accepted or not. The setbacks shall apply to whichever distance is greater, except as provided in § 198-702.2 and 702.3 below; except that any existing lot shown on a plan or described in a deed, recorded in the Registry of Deeds, that conformed or was considered to conform to the area and frontage requirements on, but not after, January 28, 1998, shall be considered to be in compliance with this Zoning Bylaw<u>; and any existing structure that was in compliance with regulations respecting location on, but not after, January 28, 1998, shall be considered to be in compliance with this Zoning</u>

Bylaw. Exempt from the setback requirement of this paragraph are roof eaves, stoops, stairs, bulkheads, chimneys and bay windows; and fences and walls up to six feet in height from the existing natural topography. **[Amended 5-14-1998 ATM by Art. 51; 5-5-1999 STM by Art. 9; 5-5-1999 STM by Art 11: 4-29-2004 ATM; 5-6-2004 ATM by Art. 21]**

FINANCE COMMITTEE COMMENTS: The purpose of the amendment is to replace language that was inadvertently deleted by Article #21 at the 2004 Annual Town Meeting. This article was included in last year's annual Town Meeting warrant as Article #21 and involved amending three sections of the bylaw. The motion to approve was voted unanimously in favor as reported in the Annual Reports of the Town of Wayland, July 1, 2003 – June 30, 2004. However, when the bylaws were being recodified, an omission was identified in the language voted for this one section. The underlined phrase above was inadvertently excluded from the text in the warrant. Town Counsel has ruled that the article needs to be revoted. With this year's article, we are voting the entire paragraph including last year's amendment to include bulkheads.

The original intent of this article last year was to provide clarification within the above section of the Zoning Bylaw, and specifically added the word "bulkheads" to the list of housing elements, such as stairs, chimneys and roof eaves, which are exempt from the setback requirements.

ARGUMENTS IN FAVOR: The proposed article inserts language that was inadvertently deleted at the 2004 Annual Town Meeting. A favorable vote corrects the language in the bylaw.

The original article clarifies elements of the Zoning Bylaw that may have been unclear. The proposed changes provide better direction to the Building Commissioner, more clarification to the Zoning Bylaw and limit interpretation of this section.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Planning Board Reports at Appendix G)

ARTICLE 27: AMEND CONSERVATION CLUSTER PROVISION OF THE ZONING BY-LAWS

Proposed by: Planning Board

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, by making the following revisions to §198-1803.1.2 thereof:

(deletions are indicated in ~~strikethrough lettering~~, and insertions are indicated in underlined lettering.)

ARTICLE 18, Conservation Cluster Development District [Amended 5-2-1983 ATM by Art. 12]

1803.1.2. The area of the tract of land is not less than ~~10~~ 5 acres.

FINANCE COMMITTEE COMMENTS: The current Conservation Cluster Bylaw was last amended in 1983. Since then development pressures have led to the development and redevelopment of parcels under the minimum requirement of 10 acres. This article proposes a reduction of the minimum acre requirement for a conservation cluster from 10 acres to 5 acres. Now, land that does not currently qualify for a conservation cluster development is developed as a traditional subdivision, and the Town loses an opportunity to protect natural resources and open space within these developments.

In the last 15 years, only two parcels have come before the Planning Board where use of the conservation cluster has been contemplated. The Planning Board sees few parcels that are 10 or more acres; many more are in the 5-8 acre range, and this amendment would permit clusters to be more widely used. The Planning Board hopes to encourage more developers to consider conservation clusters because they bring about more open space, better protection of natural attributes, and generally result in less clear cutting of the property than traditional developments.

Since January 2000, 11 subdivisions have been approved utilizing conventional subdivision design that would have been able to utilize this conservation cluster provision if it was in place. At this time, there are 33 residential parcels 10 acres or greater and another 53 residential parcels 5 acres or greater; both numbers include land held under Chapter 61, which is not permanently protected from development. Briefly, Chapter 61 is a state statute allowing land used for agricultural purposes to be placed under temporary conservation restriction.

ARGUMENTS IN FAVOR: Conservation clusters do not mean increased unit density; instead, housing units are clustered together on the parcel. The reduction in the acreage requirement will allow the Town to identify important natural features of a property and orient development to protect those features on properties that currently would not qualify. This increases the opportunity to preserve land and increase the amount of open space that might otherwise be developed to the fullest extent. This article meets the goals of the Town Master Plan and Open Space and Recreation Plan.

ARGUMENTS OPPOSED: Allowing conservation clusters on smaller parcels may result in more development of open parcels.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Planning Board Reports at Appendix G)

ARTICLE 28: AMEND OFF-STREET PARKING REQUIREMENTS OF ZONING BY-LAWS

Proposed by: Planning Board

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, by making the following revisions to §198-506.8.2 thereof:

(deletions are indicated in ~~strikethrough lettering~~, and insertions are indicated in <u>underlined lettering.</u>)

506.8.2. Within ~~the interior areas of~~ a parking lot, ~~an area equivalent to~~ ten percent (10%) of the

parking ~~lot~~ area shall be landscaped. For the purpose of this Article, "parking area" shall mean the total area of all parking spaces, including handicapped spaces.

FINANCE COMMITTEE COMMENTS: The 2004 Town Meeting approved an amendment to Article 198-506 of the Zoning By-Law requiring that, for non-residential uses, an area equal to 10% of the parking area itself must be used for landscaping within the parking lot. This present further amendment would change this landscaping area requirement to 10% of the area of the parking spaces, reducing the area required considerably, since the driveway and aisle areas would not be counted, and at the same time defining it more exactly, since the number of spaces required and their areas for given situations are already defined in the Code.

ARGUMENTS IN FAVOR: The proposed article will clarify and simplify the calculation of the landscaping area required, and by reducing the required amount, will mean that smaller lots can accommodate both the required parking spaces and the landscaping.

ARGUMENTS OPPOSED: Although the area requirements are reduced and clarified, their application to smaller properties will have to be carefully considered or it may result in small and separate raised landscaped spaces which could obstruct driving and snowplowing.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Planning Board Reports at Appendix G)

ARTICLE 29: AMEND ZONING BY-LAWS TO ALLOW ATTACHED DWELLING UNITS IN CONSERVATION CLUSTER DEVELOPMENT

Proposed by Planning Board

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, by making the following revisions to Article 18, Conservation Cluster Development District Sections 1803.1.3, 1803.1.7, 1803.1.10, 1803.1.11, 1803.1.12 thereof, and the Table of Permitted Principal Uses set forth therein:

(deletions are indicated in ~~strikethrough lettering~~, and insertions are indicated in underlined lettering.)

ARTICLE 18, Conservation Cluster Development District [Amended 5-2-1983 ATM by Art. 12]

1803.1.3. The number of lots on which there is to be a single dwelling unit does not exceed the larger of the following:

1803.1.3.1. The number of building lots that could be created in the tract shown on such plan without a special permit hereunder, plus one lot for each 10 of such building lots that could otherwise be created; or

1803.1.3.2. The number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land situated within the floodplain or designated as wetlands by the Conservation Commission, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.

1803.1.3.3. Within the Residence districts, the Planning Board shall permit by special permit structures to be constructed containing more than one (1) dwelling unit, but not more than four (4) dwelling units per structure. The number of dwelling units for attached buildings shall not exceed the total that is allowed under §198-1805.1.1.

1803.1.7. For Conservation Cluster Developments consisting of single family detached dwellings, a~~A~~t least 35% of the land area of the tract, exclusive of land set aside for road area, shall be open land, and the open land shall include all land not dedicated to roads or building lots. For Conservation Cluster Developments consisting of attached single family dwellings, at least 50% of the land area of the tract, exclusive of land set aside for road area, shall be open land, and the open land shall include all land not dedicated to roads or building lots. For the purpose of this article, "open land" is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private, to be used for open space, conservation, agriculture, outdoor recreation, park purposes or some combination of the foregoing.

~~1803.1.10. All dwelling units shall be in detached buildings, and there shall not be more than one dwelling unit in a building.~~

1803.1.~~11~~10. If the land shown on the plan includes land in two residence zones, all of the land shall, for all purposes of this article, be considered as lying entirely within the zone having the largest area and frontage requirements, except that if 75% or more of the total area shown as building lots lies within one residence zone, all of the land shall be considered as lying within that zone.

1803.1.~~12~~11. No lot shown on the plan for which a permit is granted under this article may be further subdivided, and a notation to this effect shall be shown on the plan.

Table of Permitted Principal Uses by District.

Uses	Single Residence	Roadside Residence	Business A	Business B	Light Manufacturing	Limited Commercial	Site Plan Approval
57. Multifamily dwelling	~~No~~SP[1]	~~No~~SP[1]	No	No	No	No	NA

Notes: [1]. Multifamily dwellings may only be allowed by special permit in accordance with Article 18 Conservation Cluster Development District

FINANCE COMMITTEE COMMENTS: The Planning Board proposes to allow the building of up to 4 attached dwelling units per structure under the Conservation Cluster Development District By-law. A developer choosing this option would be required to increase the percentage of open land from 35% required for a Conservation Cluster consisting of single detached units to 50% for attached dwelling units. A special permit granted by the Planning Board is also needed to gain approval to build attached dwelling units.

ARGUMENTS IN FAVOR: By allowing attached dwelling units (an example being attached town houses) under the Conservation Cluster Development District By-law in exchange for a 15% increase in open space, the Town would offer developers an option currently not available. Additionally, this article meets goals of the Town Master Plan and the Open Space Plan. The By-law amendment does not change the method for determining the number of units that can be built on a given property. The special permit requirement gives the Planning Board the authority to reject a proposed development of attached units even if it met the By-law conditions.

ARGUMENTS OPPOSED: Abutters to proposed attached dwelling units might object that these units are out of character and therefore might harm values of surrounding single-family homes. Neighbors might also be concerned that a special permit could be approved over the objections of neighborhood interests.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 1 in favor. 5 opposed

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Planning Board Reports at Appendix G)

ARTICLE 30: ADOPT LOCAL HISTORIC DISTRICTS BY-LAWS

Proposed by: Wayland Historic District Commission

To determine whether the Town will vote to codify the existing local historic districts commission and its procedures established pursuant to Massachusetts General Laws Chapter 40C by making the following amendments to Chapter 196 of the Code of the Town of Wayland by:

1) Renumbering the existing ARTICLE I as ARTICLE II, §196-101 as §196-201 and §196-102 as §196-202; and
2) Adding thereto the following new ARTICLE I:

ARTICLE I.
Historic district; purpose, governance, appointments, officers.

§196-101. Purpose.

196-101.1. The purpose of this bylaw is to promote the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Town of Wayland, the maintenance and improvement of settings of such buildings and settings, and the encouragement of design compatible with the existing architecture.

§196-102. Definitions.

196-102.1. As used in this bylaw, the following terms shall have the following meanings, unless otherwise stated:

To alter, alteration: To rebuild, reconstruct, restore, remove, demolish or other similar activities, including a change in exterior color.

Building: A combination of materials forming a shelter for persons, animals or property.

Certificate: A Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship as set forth in this bylaw.

Chapter 40C: Chapter 40C of the Massachusetts General Laws.

Commission: The historic district commission as established by this bylaw.

To construct, construction: To build, erect, install, enlarge, move and other similar activities.

District: The historic districts established pursuant to Chapter 40C and this bylaw consisting of one or more district areas.

Exterior architectural features: Such portion of the exterior of a building or structure as is open to view from a public street, public way, public park or public body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color and texture of exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

Person aggrieved: The applicant, an owner of adjoining property, an owner of property within the same historic district as property within one hundred (100) feet of said property lines and any charitable corporation which has as one of its purposes the preservation of historic structures or districts.

Sign: Any symbol, design, or device used to identify or advertise any place of business, product, activity or person.

Structure: A combination of materials other than a building, including a sign, fence, wall, terrace, walk or driveway.

This bylaw: Chapter 196 of the Code of the Town of Wayland.

§196-103. District.

196-103.1. The district shall consist of one or more district areas as listed in §196-201 of this bylaw and as delineated in the map or maps identified in §196-201 of this bylaw.

196-103.2. Prior to the establishment of additional districts, an investigation and report on the historical and architectural significance of the buildings, structures or sites to be included in the proposed district shall be made by the existing district commission(s) acting as an historic district study commission pursuant to the provisions of Chapter 40C, Sections 3 and 4. The buildings, structures or sites to be included in the proposed district may consist of one or more parcels or lots of land, or one or more buildings or structures on one or more parcels or lots of land. Copies of the report shall be transmitted to the planning board and to the Massachusetts Historical Commission for their respective consideration and recommendations. Not less than sixty (60) days after such transmittal, the study committee shall hold a public hearing on the report after due notice given at least fourteen days prior to the date thereof, which shall include a written notice mailed postage prepaid, to the owners as they appear on the most recent real estate tax list of the board of assessors of all properties to be included in such district or districts. The committee shall submit a final report with its recommendations, a map of the proposed district or districts and a draft of the proposed bylaw to the town meeting for its consideration. Adoption of such bylaw shall require a two-thirds (2/3) vote of the town meeting.

196-103.3. In the case of the enlargement or reduction of an existing district, the investigation, report and hearing shall be conducted by the historic district commission having jurisdiction over such district. In the case of a creation of an additional historic district, the investigation, report and hearing shall be conducted by the existing historic district commission or commissions acting jointly if there is more than one historic district commission, provided, however, that the existing historic district commission(s) may relinquish all power relative to the establishment of an additional district(s) as permitted by Chapter 40C, Section 3, in which event an historic district study committee shall be appointed by the Selectmen to perform all acts required of historic district commission(s) for the establishment of additional districts.

196-103.4. A district created pursuant to this bylaw or any amendment to the boundaries of an existing district shall not become effective until a map or maps setting forth the boundaries of the new district, or the change in the boundaries of an existing district has been filed with the Town Clerk and recorded in the Middlesex South Registry of Deeds.

§196-104. District Commissions.

196-104.1. The district(s) shall be administered by a commission consisting of seven (7) members, appointed by the Board of Selectmen. Initial terms shall be as follows: two (2) members shall be appointed for one (1) year; two (2) members shall be appointed for two (2) years and three (3) members shall be appointed for three (3) years. The Board of Selectmen shall fill the vacancies in membership arising from expired terms by appointments for a term of three (3) years. Appointments to membership shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in the same manner as the original appointment. Any vacancy in the membership of the commission shall be filled for the unexpired portion of any member's term by the Board of Selectmen.

196-104.2. A commission shall include one (1) member from two (2) nominees submitted by the local chapter of the American Institute of Architects; one (1) realtor from two nominated by the Board of Realtors covering Wayland; one (1) member from two (2) nominees submitted by the Wayland Historical Society; and one (1) or more resident(s) or property owner(s) in an historic district administered by the commission. If within thirty (30) days after submission of a written request for nominees to any of the organizations herein named no such nominations have been made, the Selectmen may proceed to appoint members without nomination by such organization.

196-104.3. The Board of Selectmen may appoint up to two alternate members to the Commission. Alternate members need not be from nominees of organizations entitled to nominate members. In the event that a permanent member is absent or unable to act for any reason, the chairman of the commission shall designate an alternate member to act in place of a permanent member. The initial appointments of alternate members shall be for terms of two (2) or three (3) years, with appointments thereafter being for three (3) year terms.

196-104.4. Each member and alternate member to a commission shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.

196-104.5. Meetings of a commission shall be held at the call of the chairman, at the request of two permanent members and in such other manner as the commission shall determine.

196-104.6. Four (4) members of a commission shall constitute a quorum.

§196-105. District Commission Powers and Duties.

196-105.1. The Commission shall regulate the construction and/or alteration of any building(s) or structure(s) within the district over which it has jurisdiction in accordance with the provisions of Chapter 40C and the procedures and criteria established by this bylaw. Except as otherwise provided in section ?? of this bylaw, no building or structure within a district shall be constructed or altered in any way that affects exterior architectural features unless the commission having jurisdiction over that district shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

196-105.2. The commission may adopt and/or amend reasonable rules and regulations which are consistent with the provisions of this bylaw and with Chapter 40C, and which set forth such procedures as it deems desirable and necessary for the regulation of and conduct of its business, including requirements for the contents and form of applications for certificates, fees, hearing procedures, and other matters. The commission shall file a copy of any such rules and regulations with the town clerk.

196-105.3. A commission shall at the beginning of each fiscal year hold an organizational meeting and elect a chairman, a vice chairman, and secretary from among the permanent members, and file notice of such election with the town clerk.

196-105.4. The commission shall keep a permanent record of its decisions, transactions, resolutions, and of the vote of each member participating therein.

§196-106. Procedures for Review of Applications for Certificates of Appropriateness, Non-Applicability and Hardship.

196-106.1. Any person who desires to obtain a certificate from the commission shall file an application with the commission. The application shall be accompanied by such plans, elevations, specifications, photographs, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application. The date of the filing of an application shall be the date on which a copy of such application is received at the town building. The commission shall determine within fourteen (14) days after the filing of an application for a certificate whether the application involves any exterior architectural features which are subject to approval by the commission.

196-106.2. If the application involves any exterior architectural features which are subject to review and approval under this bylaw, the commission shall hold a public hearing within forty-five (45) days after the filing of a completed application for a certificate of appropriateness or a certificate of hardship unless additional time is agreed to by both the applicant and the commission or unless such hearing is dispensed with as provided in §196-106.3 of this bylaw. At least fourteen (14) days before said public hearing, public notice shall be given by posting in the Town Building and in a newspaper of general circulation in Wayland. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and to other property owners deemed by the commission to be materially affected thereby, and to any person filing written request for notice of hearings and to such other persons as the commission shall deem entitled to notice.

196-106.3. A public hearing on an application for a certificate need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application for a certificate may be waived by the commission if the commission determines that the exterior architectural feature involved or its category, as the case may be, is so insubstantial in its effect on the district that it may be reviewed by the commission without public hearing on the

application, provided, however, that if the commission dispenses with a public hearing on an application, notice of the application shall be given to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as above provided, and ten (10) days shall elapse after the mailing of such notice before the commission may act upon such application.

196-106.4. A commission shall render a decision within sixty (60) days after the filing of a completed application for a certificate of appropriateness unless further time for a decision is allowed, in writing, by the applicant. If the commission shall fail to make a determination within sixty (60) days, the commission shall thereupon issue a certificate of hardship.

196-106.5. In the case of a disapproval of an application for a certificate of appropriateness, the commission shall place upon its records the reasons for such determination and shall forthwith cause a notice of its determination, accompanied by a copy of the reasons therefore as set forth in the records of the commission, to be issued to the applicant, and the commission may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, materials, and similar features. Prior to the issuance of any disapproval, the commission may notify the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the commission. If within fourteen (14) days of the receipt of such notice the applicant files a written modification of his application in conformity with the recommended changes of the commission, the commission shall cause a certificate of appropriateness to be issued to the applicant.

196-106.6. The concurring vote of a majority of the members of the commission shall be required to issue a certificate.

196-106.7. In issuing certificates, the commission may, as it deems appropriate, impose certain conditions and limitations, and may require architectural or plan modifications consistent with the intent and purpose of this bylaw.

196-106.8. If the commission determines that the construction or alteration for which an application for a certificate of appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the district, the commission shall issue a certificate of appropriateness.

196-106.9. If a commission determines that an application for a certificate of appropriateness or for a certificate of non-applicability does not involve any exterior architectural feature, or involves an exterior architectural feature which is not subject to review by the commission, the commission shall cause a certificate of non-applicability to be issued to the applicant.

196-106.10. If the construction or alteration for which an application for a certificate of appropriateness has been filed shall be determined to be inappropriate and therefore disapproved, or in the event of an application for a certificate of hardship, the commission shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to public welfare and without substantial derogation from the intent and purposes of this ordinance. If the commission determines that owing to such conditions failure to approve the application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, the commission shall issue a certificate of hardship.

196-106.11. Each certificate issued by the commission shall be dated and signed by the chairman or such other person designated by the commission to sign such certificates on its behalf.

196-106.12. The commission shall send a copy of certificates and disapprovals issued to the applicant and shall file a copy with the town clerk and the building commissioner.

196-106.13. Any person aggrieved by a determination of the commission, may, within twenty (20) days of the filing of the notice of such determination with the Town Clerk, file a written request with the commission for a review by a person or persons of competence and experience in such matters, designated by the Metropolitan Area Planning Council. The finding of the reviewers shall be filed with the Town Clerk within forty-five (45) days after the request, and shall be binding on the applicant and the commission, unless further appeal is sought by commencing an action in superior court as provided in Chapter 40C, section 12A. The filing of such further appeal shall occur within twenty (20) days after the finding of the reviewers has been filed with the Town Clerk.

§196-107. Criteria for Determinations..

196-107.1. In deliberating on applications for certificates, the commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area.

196-107.2. In the case of new construction or additions to existing buildings or structures, the commission shall consider the appropriateness of size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the Commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable zoning bylaw.

196-107.3. The commission shall not consider interior arrangements or architectural features not subject to public view.

196-107.4. The commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the district.

196-107.5. Nothing in this bylaw shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within a district which does not involve a change in design, material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of any bylaw or amendment thereto listing a specified district.

196-107.6. The commission may determine from time to time after a public hearing, duly advertised and posted at least fourteen (14) days in advance in a conspicuous place in the Town Building and in a newspaper of general circulation in Wayland, that certain categories of exterior architectural features, colors, structures or signs, including, without limitation any of those enumerated under G.L. c.40C s.8, under certain conditions may be constructed or altered without review by the commission without causing substantial derogation from the intent and purpose of this bylaw.

§196-108. Exclusions.

196-108.1. This bylaw shall not adopt any items for exclusions from review as set forth in Chapter 40C Section 8.

§196-109. Enforcement.

196-109.1. The commission, as defined herein, is authorized to institute any and all actions and proceedings, in law or in equity, in any court of competent jurisdiction, pursuant to the provisions of Chapter 40C, Section 13, as amended, or its successor, as it deems necessary and appropriate to obtain compliance with the requirements of this bylaw and the determinations, rulings and regulations issued pursuant thereto. Whoever violates any of the provisions of this bylaw shall be punished by a fine not exceeding three hundred dollars ($300.00) for each offense. Each day any violation of this bylaw shall continue shall constitute a separate offense.

§196-110. Severability.

196-110.1. The provisions of this bylaw shall be deemed to be severable. If any of its provisions shall be held to be invalid or unconstitutional by any court of competent jurisdiction the remaining provisions shall continue in full force and effect.

FINANCE COMMITTEE COMMENTS: The Wayland Historic District and the Commission to administer the district were established at Town Meeting in 1965. At that time, the town adopted the enabling legislation, but did not make it a bylaw. Since then the district has been amended a number of times, and, in 2003, an additional district was established. The state law MGL Chapter 40C governs historic districts and is the law under which the Wayland Historic District Commission (WHDC) has operated for 40 years.

This article adopts the same state law and formalizes it as a town bylaw that will govern and administer the WHDC. It is the law under which the WHDC currently operates. The purpose of the bylaw is

> "to promote the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Town of Wayland, the maintenance and improvement of settings of such buildings and settings, and the encouragement of design compatible with the existing architecture."

"Chapter 196 Article I Establishment of Districts" was adopted at ATM 2004 describing the district maps in bylaw format. These districts had been established previously. This year's proposed amendment to Chapter 196 describes the way in which the WHDC is administered and is consistent with Chapter 40C and with the WHDC Rules and Regulations which govern the WHDC.

ARGUMENTS IN FAVOR: Adoption of this bylaw simply codifies Chapter 40C into a Wayland bylaw. This amendment mirrors the existing rules and regulations of WHDC and appropriately consolidates all information in one bylaw.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 5-1.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40C, Section 3.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 31: DELETE WATERSHED PROTECTION DISTRICT FROM ZONING BY-LAWS

Proposed by: Planning Board

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, by 1.) deleting therefrom §198.302.1.2 and §198-1703 in their entirety; 2.) deleting the words "Floodplain, Flood and Watershed Protection" from the Table of Dimension Requirements set forth therein and replacing them with "Flood Plain and Federal Flood Protection Districts"; and 3.) making the following revisions to §198-302.1 thereof:

(deletions are indicated in ~~strikethrough lettering~~, and insertions are indicated in underlined lettering.)

302.1.~~3~~ 2. A Federal Flood Protection District, defined as the one-hundred-year floodplain, Zones A and A1-A30, that is shown, defined and bounded on maps published by the Federal Emergency Management Agency on file with the Town Clerk and entitled "FIRM – Flood Insurance Rate Map, Town of Wayland, Massachusetts, Middlesex County," and "Floodway-Flood Boundary and Floodway Map, Town of Wayland, Massachusetts, Middlesex County," dated June 1, 1982. **[Amended 5-4-1982 ATM by Art. 17]**

302.1.~~4~~ .3. A Southeast Wayland-Cochituate Planning district that includes all land to be placed in said district by a two-thirds vote of Town Meeting, but including only such land with an area not less than 25 acres, a substantial portion of which (herein defined as more than 30%) is wet areas, as defined in §198-1402 herein, and that is located in the area shown as Residence Zone 30,000 square feet-150 feet Front bordering on the Wayland-Natick town lines on the map entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003. **[Amended 6-16-1987 STM by Art. 3; 4-30-2001 ATM by Art. 22; 4-30-2001 ATM by Art.23; 4-29-2002 STM by Art. 5]**

302.1.~~5~~ 4. An Aquifer Protection District that is shown on a map on file with the Town Clerk entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003. The district comprises areas in the Town of Wayland where liquids or water-soluble materials placed on or below the surface of the land will migrate to the Town's municipal wells if pumping is sufficiently heavy and prolonged. For data, standards and procedures by which the boundary of the district was established and for other details, see a report on file with the Town Clerk entitled "Aquifer Mapping Project, Town of Wayland," January 1988, by IEP, Inc., Consulting Environmental Scientists of Northborough, Massachusetts, and also a report on file with the Town Clerk entitled "Report on Conceptual Zone II Study of the Baldwin Pond Wellfield," March 1994, by Anderson-Nichols & Company, Inc., Consulting Engineers, Boston, Massachusetts. **[Added 5-1-1989 STM by Art. 7; amended 4-30-2001 ATM by Art. 23; 4-29-2002 ATM by Art. 5]**

302.1.~~6~~ 5. A Senior and Family Housing Overlay District which includes all of the following land: Parcels F and G as shown on a plan entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003 and is available at the office of the Town Clerk for public inspection. **[Added 4-28-1997 STM by Art. 5; amended 4-30-2001 ATM by Art.23; 4-29-2002 ATM by Art. 5]**

302.1.~~8~~ 6. A Wireless Communications Services District that includes the land owned by the Town of Wayland known as the "old landfill site" as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 22 and 23, Parcels 22-001 and 22-002, and known as the "new landfill

site" as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 17, 21, and 22 inclusive, that portion of parcel 17-018 that is south of the line that is the continuation of the northwestern property line of parcel 22-004, Parcels 21-010A, 22-003, 22-004, 22-006 and 22-007; and the land comprising the portion of the so-called Massachusetts Bay Transportation Authority (MBTA), "right-of-way" from its boundary with the southerly sideline of Boston Post Road (Route 20) westerly to its westernmost boundary with the Town of Sudbury as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 22, 26 and 27, inclusive, and as shown on the plan entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, MA 01778, dated ~~January 29, 2002~~ December 5, 2003, a copy of which is on file in the office of the Town Clerk. **[Added 11-17-1999 STM by Art. 3; amended 4-30-2001 ATM by Art.23; 4-29-2002 STM by Art. 5]**

FINANCE COMMITTEE COMMENTS: This main portion of this article was included in last year's annual Town Meeting warrant as Article #17. The motion to approve "carried by more than 2/3 majority" as reported in the Annual Reports of the Town of Wayland, July 1, 2003 – June 30, 2004. However, the Massachusetts Attorney General's office rejected the vote because it was accomplished with a voice vote and not a counted or standing vote. As a result, we need to reconsider the issue this year.

This article proposes the deletion of the Watershed Protection District, which is delineated in Article 3, Overlay District and found within Article 17 under Section 1703. The Watershed Protection District bylaw was enacted in 1962 for the purpose of protecting the town's watersheds. This article was ahead of its time, and was a precursor to the adoption of many federal and state environmental protection laws and regulations. Since the adoption of the Watershed Protection District bylaw, various federal, state, and local environmental laws and regulations have been adopted which provide more extensive protection of our natural resources. The result is that Section 1703 is often in conflict with existing laws and regulations and does not provide the level of protection originally intended. The Planning Board recommends deletion of this provision of the Zoning Bylaw.

This year's article also includes updating the Table of Dimensional Requirements, updating the date references on the related maps, renumbering the sections changed with the section deletions, and also renumbering from the deletion of the section referring to the Cochituate Interim Planning Overlay District (CIPOD), which expired three years ago.

This bylaw was originally enacted in 1962 with a purpose to preserve and protect streams, ponds, lakes and the groundwater table for water supply purposes. Since enactment, other rules and regulations have been approved at federal, state and local levels that provide greater protection than the original article. Specifically, the state's Wetlands Protection Act and Rivers Protection Act and Wayland's Wetlands Bylaw are more exact and protective of our water resources.

ARGUMENTS IN FAVOR: The Watershed Protection District bylaw and map are duplicative and sometimes in conflict with current federal, state and local environmental rules and regulations. Furthermore the original map for the district has not been updated since it was drafted in 1966 and does not accurately delineate water bodies such as streams, ponds, and wetlands, which have evolved over the last 39 years. Deletion of the bylaw will eliminate conflicts with federal, state and local regulations; renumbering the remaining sections will make the bylaw easier to follow. The bylaw should be deleted since current regulations provide for more environmental protection than this bylaw provides, and deletion will remove conflict and confusion without affecting the preservation and protection of Wayland's water resources.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Planning Board Reports at Appendix G)

ARTICLE 32: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION STUDY

Proposed by: Personnel Board

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan, previously adopted by the Town by making the following additions, deletions modifications thereto and as set forth in Appendix C to this Warrant, by establishing effective dates for such amendments.

Chapter 43 - PERSONNEL

Note: Additions are identified in bold type; deletions are identified by strikethroughs. Only changes are included. Numerical changes (script to numbers) are proposed for consistency.

§ 43-1. Definitions.

DEPARTMENT HEAD - The officer **or employee** ~~, board or other body~~ having immediate supervision and control of a department.

FULL-TIME EMPLOYMENT - …not less than **7** ~~seven~~ hours per diem for **5** ~~five~~ days …

JOB SHARING - The holding of one position by more than one incumbent who **shares** ~~do not perform~~ the duties and responsibilities of the position. ~~simultaneously.~~

PROBATIONARY EMPLOYEE - … not exceeded **6** ~~six~~ months…

REGULAR POSITION - … a period of more than **6** ~~six~~ calendar months…

TEMPORARY EMPLOYEE: D. Any employee hired on a temporary basis in a **regular** ~~permanent~~ position.

TEMPORARY POSITION - Any position in the town service which is not **regular** ~~permanent~~ but which requires the services of one incumbent for a period not exceeding **1** ~~one~~ of the **4** ~~four~~ seasons of the year.

§ 43-2. Personnel Board.

A. … Personnel Board of **5** ~~five~~ members … shall be for **5** ~~five~~ years…

§ 43-4. Wages and classification.

Non-union employees whose positions are classified on the G, SG, S, Nurse and Non-union Police wage scales will be transferred to a newly established Non-union N wage scale during Fiscal Year 2006, effective upon each non-union employee's employment or reclassification anniversary date.

§ 43-5. Hours of work. [Amended 5-1-2000 ATM by Art. 15]

B. … more than **8** ~~eight~~ hours … based on **1 ½** ~~one-and-one-half~~ times … equal to **1 ½** ~~one-and-one-half~~ times … time and ½ ~~one-half~~ for all … equal to **1 ½** ~~one-and-one-half~~ times …

C. Nothing in this section shall apply to ~~administrative and professional employees in the G and S-G Schedules or any other~~ exempt employees under the Fair Labor Standards Act.

§ 43-7. Reclassification.

B. … for at least **1** ~~one~~ week shall be ...

C. Any employee who is promoted to a higher job classification will receive at least **the equivalent of** one periodic step increase under the **previously assigned** classification at the time of promotion.

§ 43-8. Increases within established rate ranges.

A. … to receive a **1** ~~one~~-step increase within…

§ 43-9. Annual leave.

A. Paid annual leave.

(1) (a) **0** ~~Zero~~ but less than **5** ~~five~~ years... (b) **5** ~~Five~~ ... (c) **15** ~~Fifteen~~ ...

(2) Leave days will start accruing **at the conclusion of the probationary period and be retroactive to the date of hire.** ~~as soon as the employee is hired, but none can be taken until the employee has had six months' service.~~

B. Schedule for earning leave days.

(1) (a) …**1** ~~one~~… (b) …**1** ~~one~~… (c) …**1** ~~one~~…

(2) …and a **5** ~~five~~-day week.

(4) While out of work on leave for more than ~~30~~ **20 consecutive working** days due to, but not limited to, on-the-job injury for which the employee is collecting workers' compensation, long-term disability, sick leave, family medical leave or leave of absence, employees shall not be eligible to earn annual leave.

C. Use of annual leave.

(1) Annual leave may be taken as follows: Leave may be taken ½ ~~one~~ day at a time, with permission of the supervisory authority, and **may** ~~will~~ be used for ~~all~~ personal business and family emergencies.

(2) …an additional carryover of **5** ~~five~~ leave days...

(3) … hours worked the **3** ~~three~~ months preceding …

E. Full-time employees on the G, SG, S and Non-union Police schedule shall receive 2 personal days each January 1st. Unused days will be forfeited each December 31st. Days are to be used in full day increments. Part-time employees in the above schedules shall earn personal days on a pro-rated basis.

§ 43-11. Sick leave.

A. Each **regular** ~~permanent~~ employee in benefit status shall accumulate sick leave for personal illness at the rate of one day for each four weeks of service, unless other-wise provided in a collective bargaining agreement. Sick leave will not be accumulated by an employee **when** ~~for any calendar month in which he is~~ absent due to illness, injury or leave of absence for more than 20 consecutive working days. Sick leave is for the protection of employees against loss of pay because of illness and shall not be taken into account in figuring termination pay. Probationary employees are allowed to accrue sick leave from the first day of employment but are not permitted to utilize these leave days until the probationary employee status has been completed. **Sick leave may be used in hourly increments with a minimum of 2 hours.**

B. … for more than **5** ~~five~~ consecutive working days...

C. Up to the limit of the dollar amount accrued, an employee may request that his/her sick leave and accrued annual leave be used to supplement worker's compensation payments in each pay period, as long as said payments do not exceed his/her regular after-tax income. ~~No sick leave shall accrue while the employee is out of work on leave for more than 30 days including, but not limited to, workers' compensation, long-term disability, sick leave, family medical leave or leave of absence.~~

D. … benefits under **workers'** ~~workmen's~~ compensation...

E. When a **regular** ~~permanent~~ **employee** retires or dies, he or his beneficiary shall receive severance pay equal to …

§ 43-13. Bereavement leave.

A. Each **regular** ~~permanent~~ **employee** in benefit status may be eligible to receive an absence with pay not to exceed **3** ~~three~~ days...

B. … up to **2** ~~two~~ additional days...

§ 43-15. Military leave.

..not to exceed **17** ~~seventeen~~ days in any year…for the entire **17** ~~seventeen~~ -day period…

§ 43-16. Maternity leave.

A. …granted an **8** ~~eight~~-week maternity leave …give at least **2** ~~two~~ weeks' notice …

§ 43-17. Physical examinations.

All new employees are required to have a physical examination completed after an employment offer has been made and prior to beginning work to ensure that they are capable of performing the essential functions of the job with or without a reasonable accommodation. Physical examinations shall be done by a physician designated by the town, at town expense. The town physician is responsible for making recommendations to the Human Resources Department and for maintaining confidential medical records on the individuals. ~~Full-time active employees of the Police and Fire Departments are also required to have annual physical examinations.~~

§ 43-18. Grievance procedure.

C. …settled within **2** ~~two~~ weeks after...

§ 43-19. Equal employment opportunity.

The Town of Wayland is an equal opportunity employer. This means that it pledges that all candidates for positions and all officials and employees of the town's agencies will be treated equally in all actions affecting them. It also means that the town has a policy of nondiscrimination which guarantees that all applicants for employment and all employees are not to be discriminated against because of race, color, age, sex, religion, **ethnicity,** national origin, sexual orientation, veteran status, political affiliation or **disability** ~~handicap~~.

FINANCE COMMITTEE COMMENTS: The changes to Chapter 43 proposed by this article are for the most part housekeeping in nature. In general the changes provide for the following:

- Use of a numeric (1, 2, 3, etc.) rather than script (one, two, three, etc.) for those provisions where numbers are used.

- Amendments to definitions such as JOB SHARING and DEPARTMENT HEAD, and to other phrases and Sections to enhance clarity, conciseness and to be in compliance with current regulations.

- Replacement of the terminology 'permanent' with the terminology 'regular' when referring to certain town employment positions. 'Permanent' is a Civil Service term. Wayland, with the exception of the Police Department, is not a Civil Service employer. Also, 'permanent' is an old term being done away with under current employment law. "Regular" is a term in more current use and is a more appropriate term.

- Establishment of a new non-union wage scale. In prior Town Meetings, residents expressed confusion with the multitude of non-union wage scales. The Personnel Board was charged with developing a simpler schedule. With some help from a consultant, a classification study (required under our union contract) was broadened to address the simplification of the non-union salary scales. There was no resultant negative impact on employees.

- Changes in the use and accrual methodology for annual leave, personal days and sick leave in order to limit the Town' s financial exposure, promote consistency among sections of Chapter 43, and provide for more effective use of sick and other time off.

- Changes to the requirements for annual physicals for Police and Fire in order to make the By-laws consistent with the collective bargaining agreements.

Upon recommendation of Town Counsel, both the union and non-union wage charts are included in Appendix C. The Wayland Library Association has entered into a successor collective bargaining agreement with the Town. The Wage Tables set forth in this Article reflect a 2% wage increase on January 1, 2005 and 3.5% increase on July 1, 2005 for Library employees. This is consistent with the negotiated settlement. Wage Tables for non-union employees provide for the same increases on the same dates.

At the time of printing of these comments, the remaining union contracts remain in negotiations. Therefore, Wage Tables for these unions, which are included in Appendix C, show an effective date of July 1, 2003 with the parenthetical comment "Currently in Negotiations."

The only position added to the tables is the substitute Community Health Nurse. The balances of the positions remain the same for the coming year.

ARGUMENTS IN FAVOR: Updating Chapter 43 aligns its language with the language used in Town policies and related documents and provides added consistency, clarity and efficiency of operation. The changes and additions to the Wage and Salary Classification Plan promote more clarity and are required to reflect new salary levels as negotiated.

ARGUMENTS IN OPPOSED: The Finance Committee is not aware of any arguments opposed.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6 for approval; 0 against approval.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108A.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendments are consistent with Massachusetts and federal law. (See Charts at Appendices C and D)

ARTICLE 33. AMEND CHAPTER 36 OF CURRENT BY-LAWS

Proposed by: Petitioners

To determine whether the Town will vote to amend Chapter 36 of the Code of the Town of Wayland by:

a) changing the title of the chapter to "Meetings and Elections" (underlining denotes added text);

b) adding thereto the following new section:

"§36-1.1.

Scheduling of ballot questions and special town meetings involving capital expenditures or Proposition 2 ½ debt exclusions in excess of $2,500,000.

A. Referenda questions for capital expenditures or Proposition 2 ½ debt exclusions in excess of $2,500,000 that are normally approved for placement on the election ballot by vote of the Board of Selectmen, shall only be placed on the ballot of U.S. Presidential election, state biennial election, annual Town election or a special election that coincides with a U.S. Presidential or state biennial election, except for instances when a different election date is required under the provisions of Massachusetts General Laws Chapter 59, Section 21C, paragraphs (i1/2) and (m)(3). This section shall not apply to ballot questions for funding requests related to the repair of Town-owned assets damaged or destroyed by natural causes or other involuntary causes;

B. Special town meetings called by the Board of Selectmen for purposes of approving the appropriation of funds for capital expenditures in excess of $2,500,000, contingent on the passage of a ballot question described in Subsection A above following such special town meeting, shall be scheduled only on such dates that will permit compliance with the requirements of both Subsection A above and Massachusetts General Laws Chapter 59, Section 2lC, paragraph (m)(3), except in instances, if any, when a different date is required for a special town meeting called by the Board of Selectmen pursuant to the request of at least two hundred registered voters of the Town pursuant to Massachusetts General Laws Chapter 39, Section 10; and

C. In those instances where the Board of Selectmen determines that such a question must be placed on the ballot of a special election other than one that coincides with a U.S. Presidential or state biennial election, the Selectmen shall hold a public hearing at which the reasons for having to place the question on the ballot of a special election to be held on such other date will be presented.

FINANCE COMMITTEE COMMENTS: From time to time, the Selectmen are asked to place referenda questions relating to capital expenditures or Proposition 2 ½ debt exclusions before the Town's voters. Some of these ballot questions, if approved, result in the expenditure of large sums of money, e.g., greater than $2,500,000. Examples include the ballot questions related to the initial funding requests for construction of the new Public Safety Building, the recent Middle School addition and renovation project, as well as the recent request for the High School modernization and expansion project, and certain projects for the Town Water Dept.

The Petitioners believe that these large financial requests should be placed on the ballot of elections that historically have large voter participation. Such elections include the U.S. Presidential election, every four years, the state biennial election, every two years, and the annual Town election.

Massachusetts General Laws Chapter 59, Section 21C, paragraphs (il/2) and (m)(3) provide for certain required time frames within which certain votes at annual and special elections must be held. While the petitioners' proposed amendment to the Town's bylaws provides for an exception in such circumstances, it also requires that any special town meetings called by the Board of Selectmen for purposes of approving the appropriation of funds for capital expenditures in excess of $2,500,000, contingent on the passage of a ballot question described in proposed §36-1.1 A following such special town meeting (the situation covered by MGL Ch59, Sec 21C, paragraph (m)(3)), be scheduled only on such dates that would permit compliance with the requirements of both the proposed amendment to the Town's bylaws and MGL Ch 59, Sec 21C, paragraph (m)(3).

In order to ensure compliance with Massachusetts law without sacrificing the intent of the proposed by-law, the petitioners also have included a provision that would require that certain special town meetings called by the Board of Selectmen, for purposes of approving the appropriation of funds for capital expenditures in excess of $2,500,000, be scheduled only on such date(s) that would permit compliance with the requirements of both the proposed by-law and Massachusetts law.

According to Town Counsel, on its face, the proposed amendment to §36-1 of the Town's By-Laws in this Article is consistent with state law. However, the exception at the end of Subsection B allows for the possibility of a special town meeting on a date that is inconsistent with the time limits in M.G.L. c. 59, §21C(m)(3). Of course, the possibility of such a town meeting date would exist even if that exception were removed because M.G.L. c. 39, §10 does not preclude it. If such a special town meeting were scheduled on a date inconsistent with the time limits in M.G.L. c. 59, §21C(m)(3), it would be the result of the 200 (or more) petitioners' timing rather than the terms of the proposed amendments to §36-1 of the Town's By-Laws at issue in this Article.

The purpose of the public hearing, if needed, is for the Selectmen to present and discuss the reasons why a special election must be held on a date that does not coincide with a U.S. Presidential or state biennial election.

ARGUMENTS IN FAVOR: Special elections scheduled to coincide with the U.S. Presidential and state biennial elections may provide an opportunity for wide spread voter participation. The goal is to achieve a broad based indication of support or lack of support for the requested expenditure or the amount of the expenditure. Placing referenda questions relating to large capital expenditures, or Proposition 2 ½ debt exclusions, before the Town's voters at special elections (other than those that coincide with a U.S. Presidential or state biennial election) potentially limits the opportunity for large voter participation. Examples would include special elections held in December, January or February or July and August, times during which many voters may be out of town on vacation, and elections held during the winter months may make it difficult for some voters to get to the polls. And although absentee ballots can be requested by these individuals, it may make voting more difficult and, as a result, many may not vote. Off-cycle elections historically produce lower voter turnout.

Ballot questions regarding large capital expenditures and Proposition 2 ½ debt exclusions deserve to be voted on by as many registered Town voters as possible. The U.S. Presidential and state biennial elections historically attract the largest voter turnout and should be used for placing such ballot questions before the Town's voters. Setting the financial threshold at $2,500,000 limits the proposed election restrictions to only the largest projects in Town and does not limit the Selectmen's ability to use special elections for Proposition 2 ½ operational overrides, or for capital expenditures, or Proposition 2 ½ debt exclusions requesting less than $2,500,000.

Passage of this by-law would place every board, committee and Town department on notice that large capital requests should be planned in such a way as to coincide with either a U.S. Presidential or state biennial election. In addition, by requiring that such capital requests be made at regularly scheduled elections, the Town would not have to incur the additional costs related to holding a special election and the accompanying special town meeting. Such costs could amount to as much as $6,000 or more per special election (the costs incurred by the Town Clerk's office were $7,646 for the January 2005 Special Election and $3,112 for Special Town Meeting, excluding costs for printing the warrant and the audio visual costs.)

ARGUMENTS OPPOSED: This Article is an unnecessary restriction on the Town government, which will limit the powers of the Board of Selectmen, who have the authority to call a special

election at any time for any purpose, to manage the Town effectively. In certain instances, placing a ballot question regarding a capital expenditure or Proposition 2 ½ debt exclusion in excess of $2,500,000 before the voters at a special election or annual Town election (not otherwise coinciding with a U.S. Presidential or state biennial election) may be needed to keep a project on a particular timetable. Waiting for an annual Town election (or U.S. Presidential or state biennial election) may cause that timetable to be delayed and could result in additional cost to the taxpayers and/or possible disruption to Town services.

It is the responsibility of each and every registered voter in the Town to exercise their right to vote – if voters do not vote in any election, it is their choice not to vote either at the polls or by absentee ballot. The issues bring out the voters, not by-law manipulations. In the most recent special election in January 2005 regarding the design phase for a high school project the voter turnout was 53% compared below to other major elections.

Annual Town Election (4-1-03)	38%
Presidential Primary (3-2-04)	41%
Special State Election (3-2-04)	42%
Annual Town Election (4-27-04)	28%
Presidential Election (11-2-04)	92%
Special Town Election (1-25-05)	53%

Massachusetts law authorizes the Board of Selectmen to place debt exclusion referenda on the ballot at any time, and to add adopt this Article would just complicate the procedure currently in place. Although no Town by-law may divest the Board of Selectmen of a power conferred upon it by statute, and although Town Counsel has concluded that the proposed bylaw is not inconsistent with State or federal law, it is possible that the Attorney General will determine that such limitation is inconsistent with Massachusetts or federal law.

The exception at the end of Subsection B allows for the possibility of a special town meeting on a date that is inconsistent with the time limits in Massachusetts law. Of course, the possibility of such a town meeting date would exist even if that exception were removed because Massachusetts law creates the opportunity for it. If such a special town meeting were scheduled on a date inconsistent with the time limits in Massachusetts law, it would be the result of the 200 (or more) petitioners' timing rather than the terms of the proposed amendments at issue in this Article.

Also, to require the Board of Selectmen to have a public hearing before a special election takes away from their power to act as the chief elected officials of the Town.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous (0-6).

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law.

COMMONWEALTH OF MASSACHUSETTS

★★★ WARRANT ★★★

for the

2005 SPECIAL TOWN MEETING

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to meet in the Wayland High School Field House on:

WEDNESDAY, MAY 4, 2005, AT 8:00 P.M.

Or as soon thereafter as the Article then under discussion in the Annual Meeting is disposed of, then and there to act on the following Articles:

ARTICLE 1: ARTICLE 22: INCLUSIONARY ZONING BYLAW

Proposed by: Planning Board

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198, of the Code of the Town of Wayland, by amending Article 1, §104.2 thereof by adding the following definition and by adding thereto the following new Article 22.

§198-104.2. Definitions

Affordable Dwelling Unit (ADU) - A residential unit that is restricted in its sale, lease or rental to a qualified income-eligible household at specific price limits that qualify such residential unit for inclusion in the Chapter 40B Inventory of Subsidized Housing.

ARTICLE 22
INCLUSION OF AFFORDABLE HOUSING

22.1 Purpose and Intent

22.1.1. The purpose of this Bylaw is to increase the supply of housing in the Town of Wayland that is available to and affordable by low income and moderate income households who might otherwise have difficulty in finding homes in Wayland, and to ensure that such housing is affordable over the long-term and provided in accordance with the requirements of Massachusetts General Law Chapter 40B and its implementing regulations, the ***Wayland Comprehensive Permit Policy***, the Wayland Master Plan, and other ongoing programs within the Town of Wayland. In those cases

where the Inclusion of Affordable Housing may conflict or be inconsistent with other sections of the Town of Wayland Zoning Bylaw, except as otherwise expressly provided herein, the provisions of Inclusion of Affordable Housing shall be controlling.

22.1.2. It is intended that the AFFORDABLE DWELLING UNITS authorized under the provisions of this Bylaw be considered as Local Initiative Program (LIP) dwelling units in compliance with the requirements for the same as specified by the Department of Community Affairs, Massachusetts Department of Housing and Community Development (DHCD), or its successor, or such additional programs adopted by the Commonwealth or its agencies, and that said units count toward Wayland's requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended.

22.2 Administration

22.2.1 The Planning Board shall be designated as the Special Permit Granting Authority (SPGA) under this bylaw.

22.2.2. The Planning Board shall adopt and maintain a set of regulations that contains the necessary policies, fee structures, procedures, and requirements to implement the provisions of this Section.

22.3 Applicability

22.3.1. Division of Land. The division of land into six (6) or more lots shall require a special permit from the Planning Board. A special permit shall be required for land divisions under G.L. c.40A sect. 9 as well as for "conventional" or "grid" divisions allowed by G.L. c.41 sect. 81-L and sect. 81-U, including those divisions of land that do not require subdivision approval.

22.3.2. Multiple Units. The construction of six (6) or more dwelling units, whether on one or more contiguous parcels, shall require a special permit from the Planning Board.

22.3.3. Developments shall not be segmented to avoid compliance with this Bylaw. Segmentation shall mean one or more divisions of land that cumulatively result in an increase by five or more residential lots or dwelling units above the number existing thirty-six months earlier on any parcel or on a set of contiguous parcels that were in common ownership on or after the effective date of this Bylaw.

22.4. Calculation of Affordable Dwelling Units

22.4.1 In any development subject to this Bylaw, a minimum of 16.7% of the units in the development shall be affordable. Nothing in this section shall preclude a developer from creating more affordable housing units than the minimum required under the provisions of this Bylaw.

22.4.2. If, when applying the percentage to the total number of units to determine the number of affordable units, the number of affordable dwelling units results in a fraction, said number shall be rounded to the nearest whole number.

22.5. Allowed types of Affordable Dwelling Units:

22.5.1. Single-family Dwellings;

22.5.2. Single-Family Dwellings with Accessory Apartments;

22.5.3. Multi-Family Dwellings which are designed to be consistent in character with the single-family dwellings in the same development. Such multi-family dwellings may be allowed provided:

22.5.3.1. in terms of exterior appearance, the building is compatible in design and, to the extent practicable, indistinguishable from the single-family dwellings in the same development; and

22.5.3.2. there shall be no more than four (4) attached dwelling units in any building.

22.5.4. Accessory uses and structures incidental to principal uses indicated above and approved by the Planning Board.

22.6. Eligibility Standard

Affordable rental or ownership units developed under this bylaw shall serve low-income households. A low-income household is defined as having a total household or family income not more than eighty (80) percent of the median income for the Boston Standard Metropolitan Statistical Areas, as set forth in regulations promulgated from time to time by the U.S. Department of Housing and Urban Development, or by a similar federal agency created to replace it, as adopted by the Commonwealth of Massachusetts Department of Housing and Community Development. or its successors.

22.7 Affordability Requirements

22.7.1. Duration of affordability: Affordable dwelling units shall be subject to restrictions that shall preserve the permanent affordability to the extent legally possible: in perpetuity but in no case less than 50 years.

22.7.2. Maximum rental price: Rents for affordable units, excluding utilities (gas, heat, water, electricity, etc.) shall not exceed thirty (30) percent of the targeted annual gross household income, as determined by the Commonwealth of Massachusetts Department of Housing and Community Development. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Wayland Housing Partnership or successor authority or agency.

22.7.3. Maximum sales price: Housing costs, including monthly housing payments, principal and interest payments, real estate taxes, and insurance, shall not exceed 30 percent of the targeted gross household income. Specific prices shall be determined by the state or federal funding source, if applicable, and are subject to approval by the Wayland Housing Partnership or successor authority or agency.

22.7.4. Resale prices: Subsequent resale prices shall be determined based on a percentage of the median income for the Boston Standard Metropolitan Statistical Area at the time of resale as determined by the federal Department of Housing and Urban Development and adopted by the Commonwealth of Massachusetts Department of Housing and Community Development. The formula for the resale price shall be defined in the Planning Board's rules and regulations for this bylaw and shall be set in

order to assure that the target income groups' ability to purchase will be kept in line with the unit's market appreciation and to provide a proper return on equity to the seller.

22.7.5. Marketing plan: The affordable dwelling units must be rented or sold using marketing and selection guidelines approved by the Wayland Housing Partnership, or successor authority or agency ,and in accordance with state guidelines.

22.7.6. Preference for Wayland-related residents and persons employed within the Town: Not fewer than 70 percent of the affordable dwelling units shall be initially offered to Wayland-related residents and persons employed within the Town of Wayland, unless prohibited by a federal or state agency under a financing or other subsidy program.

22.7.7. Right of first refusal to purchase: The purchaser of an affordable dwelling unit developed as a result of this bylaw shall agree to execute a deed rider prepared by the Town, consistent with model riders prepared by Department of Housing and Community Development, granting, among other things, the municipality's right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be located.

22.8. Development Standards

22.8.1 Location of affordable dwelling units: Affordable dwelling units shall be provided onsite unless the Planning Board allows an alternative method of compliance (See Section 22.9.). Location of affordable dwelling units shall be approved by the Planning Board.

22.8.2. Comparability: Affordable dwelling units shall be externally indistinguishable from market rate units in the same development to the extent possible. Affordable dwelling units should be comparable to market rate units in terms of location, quality, and character.

22.8.3. Unit size: Affordable dwelling unit shall contain at least two bedrooms unless otherwise authorized by the Planning Board and Wayland Housing Partnership or successor authority or agency.

22.8.4. Rights and privileges: The owners or renters of affordable dwelling units shall have all rights, privileges, and responsibilities accorded to market-rate owners or renters, including access to all non-fee amenities within the development.

22.9. Alternative Methods of Compliance

22.9.1. In exceptional circumstances, the Planning Board may consider an alternative method of compliance. In granting such exception, the Planning Board must find that the developer has demonstrated that building the required affordable dwelling units on-site would create a significant hardship or that such alternate method of compliance is in the best interests of the Town. A significant hardship shall be defined as being of such significance that the property cannot physically accommodate the required affordable dwelling units and/or related requirements, such as height, setbacks, or parking. Hardship shall not be considered due to financial or marketing consideration. The burden of proof shall be on the developer, who must make full disclosure to the Planning Board of all relevant information.

22.9.2. Except as set forth below, affordable dwelling units provided through an alternate method shall comply in all other respects with the requirements of this bylaw. The Planning Board may consider the following alternative methods of compliance or combination of methods, in order of preference by the Town:

22.9.2.1. Construction on a locus different than the one subject to the Special Permit that is (1) suitable for residential development within the Town of Wayland, (2) adds to the Town's stock of affordable housing, and (3) is comparable in quantity, quality, size, and type. Affordable off-site dwelling units may be located in an existing structure.

22.9.2.2. An applicant may offer, and the Planning Board, in concert with the Board of Selectmen, may accept donations of land in fee simple, on or off-site, that the Planning Board determines are suitable for the construction of an equivalent number of affordable dwelling units. The Planning Board may require, prior to acceptance of land by the Town, satisfaction of the requirements of this Bylaw, that the applicant submit appraisals of the land in question, as well as other data relevant to the determination of value.

22.9.2.3. Developers may make a cash payment to the Town to be used only for the purposes of providing housing affordable to low-income households as defined by this Bylaw.

22.9.2.3.1. For ownership developments, the financial contribution for each affordable dwelling unit shall be equal to the then current cost of construction of an affordable dwelling unit as further defined in the Planning Board rules and regulations for this bylaw. In order to include the value of the land, the financial contribution for each affordable dwelling unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable units.

22.9.2.3.2. For rental units, the financial contribution for each affordable unit shall be equal to the difference between the average market rental price for market-rate units in the subject development or the median market rate rent for the Boston Standard Metropolitan Statistical Area which ever is greater and the rent affordable to a four-person low-income household as defined by this Bylaw, calculated over a term of 10 years as further defined by the Planning Board rules and regulations for this bylaw. The financial contribution for each affordable dwelling unit shall also include an amount equal to the current year's assessed value of the land divided by the total number of units proposed, multiplied by the total number of affordable dwelling units or an amount sufficient to purchase a deed restriction on a comparable rental property, which ever is greater.

22.9.2.3.3. For fractional affordable dwelling units, the applicant shall round up to the next whole number of units or choose to pay equivalent fees-in-lieu of units (see Section 22.4) proportionate to the percentage of the unit required.

22.9.2.3.4. Preservation of existing dwelling units as affordable dwelling units through the purchase of deed restrictions.

22.9.2.4. Prior to the issuance of a final occupancy permit for any portion of the project, the contribution shall be payable in full, or a written agreement approved by the Planning Board and the Wayland Housing Partnership, or successor authority or agency, must be recorded and filed with the Town Treasurer.

22.10. Enforcement

22.10.1 Legal Restrictions: Affordable dwelling units shall be rented or sold subject to deed covenants, contractual agreements, and/or other mechanisms restricting the use and occupancy, rent levels, and sales prices of such units to assure their affordability. All restrictive instruments shall be subject to review and approval by the Wayland Housing Partnership, or successor authority or agency, the Planning Board and Town Counsel and shall be recorded prior to the commencement of construction. All condominium documents and fees shall be subject to review and approval by the Wayland Housing Partnership and Town Counsel.

22.10.2 Timing of Commitments: All contractual agreements with the Town and other documents necessary to ensure compliance with this Bylaw shall be executed prior to and as a condition of the issuance of any approval required to commence construction.

22.10.3 Timing of Construction: As a condition of the issuance of approval under this Bylaw, the Wayland Housing Partnership, or successor authority or agency, may set a time schedule for the construction of both affordable and market-rate units. No Certificate of Occupancy shall be issued for any market-rate units in a development subject to the requirements of this Bylaw until 25 percent of the affordable dwelling units required to be constructed have been issued a Certificate of Occupancy. No Certificate of Occupancy shall be issued to more than 75 percent of the market-rate units until 100 percent of the affordable dwelling units required to be constructed have obtained a Certificate of Occupancy.

22.11. Severability:

22.11.1 If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the Town of Wayland Zoning Bylaw.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law, except for subparagraph 22.3.1 thereof. Subparagraph 22.3.1 is inconsistent with State law in that it proposes to make land divisions, which may be effectuated as a matter of right under state law, subject to the issuance of a discretionary special permit. Massachusetts General Laws Chapter 41, Section 81U (as to land divisions which are subdivisions), and Section 81P (as to land divisions which are not subdivisions) allow landowners to divide their land into lots, as a matter of right, provided that the lots and the ways shown on the land division plan meet certain requirements. It would be inconsistent with Massachusetts General Laws Chapter 41 Section 81U and Section 81P, respectively, to make such land divisions involving six or more lots conditional upon the issuance of a discretionary special permit.

ARTICLE 2: ACCOMMODATE WAYCAM STUDIO NEEDS

Proposed by: Board of Selectmen *Estimated Cost: $200,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to resolve space needs relate to the WayCam Studio; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 3: TRANSFER FORMER DICARLO LAND FROM BOARD OF HEALTH TO BOARD OF ROAD COMMISSIONERS

Proposed by: Board of Road Commissioners

To determine whether the Town will vote to transfer all or any part of the parcels of land shown as Lots 1 through 7, inclusive, and the roadway shown as Southward Drive on a plan entitled "Definitive Southward Subdivision of Land in Wayland, Mass.", Scale I" = 40', dated October 2, 1980, by Ewald Engineering Co., Inc., recorded with the Middlesex South Registry of Deeds as Plan No. 1127 (A-3) of 1986 in Book 17322, Page 122, from the care, custody, management and control of the Board of Health to the care, custody, management and control of the Board of Road Commissioners for highway purposes.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40, Section 15A.

ARTICLE 4: AMEND AND EXPAND REFUSE DISPOSAL DISTRICT

Proposed by: Board of Selectmen at the Request of the Board of Road Commissioners

To determine whether the Town will vote to amend its Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, by:

1) revising the Town of Wayland Zoning Map referenced in §198-301.2 thereof by adding to and including in the Refuse Disposal District shown on said map and referenced in §198-301.1.8 the parcels of land shown as Lots 1 through 7, inclusive, and the roadway shown as Southward Drive on a plan entitled "Definitive Southward Subdivision of Land in Wayland, Mass.", Scale 1" = 40', dated October 2, 1980, by Ewald Engineering Co., Inc., recorded with the Middlesex South Registry of Deeds as Plan No. 1127 (A-3) of 1986 in Book 17322, Page 122; and ;

2) adding to Article 12 (Refuse Disposal District), §198-1201. (Permitted Uses) thereof the following new subsection:

"1201.1.4. The storage of de-icing and earth materials."

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 5: FUNDING FOR NEW SALT SHED CONSTRUCTION

Proposed by: Board of Road Commissioners *Estimated Cost: $424,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Road Commissioners to construct a salt shed on the Town-owned property known as the "DiCarlo Property" and to determine whether such appropriation shall be provided by taxation, by transfer of unappropriated funds, by transfer of funds appropriated for another purpose, by funds received as grants from the Commonwealth or Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 6: PUBLIC SAFETY BUILDING: COMPLIANCE WITH WAYLAND HISTORIC DISTRICT COMMISSION DECISIONS

Proposed by: Board of Selectmen *Estimated Cost: $10,750*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to make certain physical alterations to the Public Safety Building needed to satisfy one or more decisions rendered by the Wayland Historic District Commission in connection with the original construction of the Public Safety Building.

SPONSOR'S COMMENTS: The Public Safety Building is located in the Town's Historic District. Prior to, during and following construction of the project, the Town sought and received a number of certificates of appropriateness and hardship from the Wayland Historic District Commission regarding various external building elements. Following construction of the Public Safety Building, the Wayland Historic District Commission noted a number areas in which the Public Safety Building did not comply with the Commission's prior decisions and ordered the Town to rectify some, but not all, of these items as soon as practicable.

The items requiring further work include the painting of a number of vent pipes and the roof-mounted HVAC system as well as the installation of a window on the east side of the Public Safety Building which was inadvertently "value engineered" out of the project during construction without first seeking the permission of the Wayland Historic District Commission.

Given that the original budget for the Public Safety Building has been fully expended, the requested funds are needed if the Town is to comply with the Wayland Historic District Commission's order. Both the sponsor of this article and the Wayland Historic District Commission believe it is important for the Town to comply with the same rules and regulations that apply to its citizens.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 7: ACQUIRE 89 MAIN STREET

Proposed by: Board of Selectmen *Estimated Cost: Unknown*

To determine whether the Town will vote to (a) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for the development of affordable housing (within the meaning of the Commonwealth of Massachusetts – Department of Housing and Community Development's affordability guidelines), the fee or any lesser interest in all or any part of the land with the improvements thereon, known and numbered as 89 Main Street, Wayland, Massachusetts, containing 0.20 acres, more or less, and shown as Lot 51D on Assessors Map 66, (b) appropriate a sum of money to compensate the owner(s) of said land and improvements and/or for the acquisition thereof; and (c) provide for said appropriation by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise.

SPONSOR'S COMMENTS: Late last year, the Archdiocese of Boston, on behalf of St. Zepherin's parish, placed a small plot of land located at 89 Main Street, adjacent to the Hannah Williams Park, on the market for sale.

On January 18, 2005, at the urging of the Wayland Housing Authority, the Board of Selectmen submitted a bid to acquire the property. The bid indicated that it was the Town's intention to construct an affordable, single-family housing unit on the site. The Town's bid contained a number of contingencies, including the determination that the site could support a septic system and the need to secure Town Meeting approval of the acquisition and appropriation. A revised bid was submitted on March 8, 2005.

At its meeting on March 15, 2005, the Community Preservation Committee voted in favor of allocating up to $30,000 of CPA funds for this proposed acquisition, subject to certain restrictions as to the use of such funds.

As of the date the warrant was printed, the Town had not received a response to its revised offer. Given the status of the bidding process, it would be inappropriate for the Town to disclose an estimate of its proposed purchase price. Accordingly, the estimated cost of this article has been shown as "unknown."

COMMUNITY PRESERVATION COMMITTEE COMMENTS: The Community Preservation Committee voted in favor of spending $30,000 of CPA funds to purchase the property at 89 Main Street for the construction of one affordable dwelling. These funds are provided for the purchase of the property only are not to be used for soil testing, appraisal, or other land acquisition costs.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7. (See Map at Appendix E)

ARTICLE 8: ACQUIRE 36 BAYFIELD ROAD

Proposed by: Board of Selectmen *Estimated Cost: $32,500*

To determine whether the Town will vote to (a) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for municipal purposes, the fee or any lesser interest in all or any part of the parcel of land, with the improvements thereon, known and numbered as 36 Bayfield Road, Wayland, Massachusetts, containing 0.459 acres of land, more or less, and described in a deed recorded with the Middlesex South Registry of Deeds in Book 18400, Page 599; (b) appropriate a sum of money to (i) compensate the owner(s) of said land and improvements and/or for the acquisition thereof and (ii) for the services of a professional engineer in an amount not to exceed $2,500.00 to determine whether the Town can design a septic system that could service a single-family dwelling that could be constructed on said parcel of land; and (c) provide for said appropriation by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise.

SPONSOR'S COMMENTS: This undeveloped parcel ("Parcel") has been tax title land since 1997. The current balance of unpaid taxes, together with accrued interest, is approximately $30,000. The

current owner ("Owner") of the Parcel has offered to transfer it to the Town in full satisfaction of the outstanding taxes and accrued interest.

Although the acquisition of the Parcel would require the appropriation and expenditure of approximately $30,000, there would be no net reduction in the Town's General Fund since the Owner would be obligated to assign the proceeds from the sale to the Town to pay off the outstanding taxes and accrued interest. The Town would, however, be giving up its right to pursue the Owner for repayment of the outstanding taxes and accrued interest from their own funds.

The Owner does not believe the Parcel can support a septic system that would comply with state and local regulations and, therefore, does not believe it is marketable as a building lot. Attempts by the Owner to have the current assessed value of $208,000 reduced have been unsuccessful.

If the Town acquires the Parcel and were to determine that the Town-owned lot located directly across the street from the Parcel could be used for a reserve leaching area, the construction of a compliant septic system might be possible. If so, the value of the Parcel might equal or exceed its current assessed value and could either be sold for fair market value, with the proceeds going into the General Fund, or used for the development of affordable housing.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Two-thirds – see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7. (See Map at Appendix F)

ARTICLE 9: SURFACE WATER QUALITY BUDGET

Proposed by: Surface Water Quality Committee *Estimated Cost: $86,200*

To determine whether the Town will vote to appropriate a sum of money to support the Surface Water Quality Committee's current and future environmental conservation programs to preserve and improve the Town's surface water in Dudley and Heard Ponds, the Town Beach on Lake Cochituate, and other surface waters; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated available funds, transfer from available funds appropriated for another purposes, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 10: MAKING IT EASIER TO ATTEND TOWN MEETING

Proposed by: Petitioner

To determine whether the Town will vote (1) to amend the first sentence of §36-1 of the Code of the Town of Wayland, entitled "Annual town meeting and election," by replacing it with the following new sentence:

"The annual town meeting shall commence on a Sunday afternoon in April ordered by the Selectmen."

and (2) to instruct the Moderator to appoint a committee to develop recommendations to improve the attendance at town meeting, including, but not limited to, such considerations as providing childcare and transportation during all sessions of town meeting for those voters who are in need thereof. Such committee shall (a) make its report to the town by means of one or more public, hearings, all of which shall be held within six months of the vote under this article, and (b) timely submit appropriate articles to the Board of Selectmen so that recommended changes may be adopted at the 2006 annual town meeting.

PETITIONERS' COMMENTS: This article would lessen the difficulty that many voters face in participating in Town Meeting. Other towns have made similar changes with positive results. Under the present schedule, parents of young children may be unable to remain until the end. Residents whose careers take them away during the week would more likely be home on Sunday. Older voters often avoid driving at night; this article would address that concern. Changing the start of Town Meeting would bring various segments of the town together to plan precise details and coordinate volunteer opportunities. Setting aside one Sunday afternoon per year in this way would enhance the sense of community and the vitality of our local government.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 11: RESCIND BALANCE FROM BORROWING

Proposed by: Board of Selectmen

To determine whether the Town will vote to rescind the $850.00 balance remaining from the borrowing authorized under Article 5 of the April 2003 Town Meeting Warrant for Departmental Equipment.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority.

ARTICLE 12: REGIONAL COOPERATION AGREEMENT

Proposed by: Board of Health

To determine whether the Town will vote to pursuant to General Laws Chapter 40, Section 4A, as amended, to authorize the Board of Health to enter into an agreement or agreements with other communities, which will, among other things, allow for inter-local municipal services and the sharing of resources to provide mutual aid and assistance to one another.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 4A.

ARTICLE 13: SET ASIDE FUNDS WITHIN THE COMMUNITY PRESERVATION ACCOUNT

Proposed by: Community Preservation Committee

To determine whether the Town will vote pursuant to Massachusetts General Laws Chapter 44B, Section 6, to set aside for later spending $160,000.00 on open space, but not including land for recreational use, $160,000 for historic resources, and $160,000.00 for community housing, all of which funds shall be derived from Fiscal Year 2006 revenues in the Community Preservation Fund.

COMMUNITY PRESERVATION COMMITTEE COMMENTS: Passage of this article does not provide authority to spend, it will not affect the town budget nor the tax rate.

All communities that participate in the Community Preservation Act are required to set aside at least ten percent of their current CPA revenues for future expenditure in each of the three CPA areas.

FINANCE COMMITTEE COMMENTS: The Finance Committee has not had an opportunity to research, discuss and vote the special town meeting articles. We will therefore defer commentary and recommendation until the Special Town Meeting.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44B, Section 6.

APPENDIX A

THE MODERATOR'S RULES AND REGULATIONS GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. The Warrant

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting at the Town Building, the Library, the Cochituate Fire Station or the Cochituate Post Office and the Happy Hollow School. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed, if this is an annual meeting, the report and recommendations of the Finance Committee upon each article and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a two-thirds vote.

II. The Voters

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the By-Laws of the Town and these rules and regulations.

B. All other persons may attend and observe Wayland's town meetings so long as they remain seated in the special section that has been reserved for this purpose, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

C. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. The Moderator

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the By-laws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. The Meeting

A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:45 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred registered voters has been checked into the hall.

2. All persons, who have not registered to vote in Wayland, including members of the press, must sit in the section reserved for non-residents, unless the Moderator has authorized them to sit among the voters.

3. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:

1) The main motion under the article being considered and a presentation in support thereof;

2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a below;

3) An amendment to a main motion;

4) A question seeking information or guidance from the Moderator as to procedure, including a point of order;

5) An answer to a question seeking information; and

6) A point of order or procedural motion, such as:

a) a motion to terminate debate;

b) a motion challenging the Moderator's declaration of a vote;

c) a motion questioning the presence of a quorum; and

d) a motion to adjourn.

b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.

c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are

not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a voice vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:

a. "I move that . . .";

b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);

c. "I rise to a point of order"; or

2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but

a. Any person who wishes to offer the principal presentation in support of, or in opposition to, the main motion under an article, must so notify the Moderator and complete the same within ten minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the following minute.

b. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three minutes, or less, and yield the floor. The same one minute warning light will be turned on when you have used up the first two minutes.

c. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.

d. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.

3. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

4. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph IV. B and C above.

a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article

printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.

b. If you plan to offer a main motion, which contains more than twenty-five words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.

c. No motion or amendment of a motion that exceeds ten words in length will be accepted, unless it shall have been offered to the Moderator in writing.

d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be permitted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article.

e. The Moderator will permit no motion to appropriate and/or expend a sum of money, which exceeds the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.

f. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

5. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.

6. Wayland's practice with respect to some common subsidiary motions is generally as follows:

a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion *at a time*. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.

b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall

appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.

c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.

d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.

e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

f. Upon the expiration of sixty minutes after the main motion under any article shall have been seconded, the Moderator may terminate debate thereon, unless the Town Meeting shall have voted to extend the time available for further debate. The time needed to count the vote(s) upon the motion(s) under the article will not be included in the sixty minutes.

g. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated only by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, "move the previous question". If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

h. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote.

7. If an article of the Warrant has once been acted upon and disposed of, a motion to return to the article may be made at any time; however, debate and action on said motion shall be deferred until all other articles shall have been disposed of and shall occur in the numerical order of each such article. In any event, a motion to reconsider is debatable, may not be amended and requires a TWO-THIRDS

vote, unless it shall have been made before the article has been disposed of; in which event it requires a vote *equal to the quantum of the vote that was required to pass the motion under the article to be reconsidered.* If such motion carries, the Moderator will ask whether there is a new motion under the article to be reconsidered.

D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. The Moderator will then ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

2. If the Moderator is still in doubt, or if seven or more voters have immediately questioned his declaration of such vote, he will call for the tellers to help him take a standing counted vote -- two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report their portion of the vote from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration is final.

3. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion, the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote.

4. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

5. In the event that there is a large number of voters in the hall and the Town Clerk shall have provided ballots and ballot counting machines (ballot machines) for the occasion, the Moderator may designate one or more such machines to receive "yes" votes and a number of machines to receive "no" votes and arrange to have them placed near the "pro" and "con" microphones respectively. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of the voters to the location of the pro and con machines. The voters will then rise and proceed row-by-row to the machine of their choice. A Teller will stamp the back of each voter's hand upon arrival at the ballot machine and hand him or her a ballot, which the voter will then deposit in the ballot machine. In order to assure the security of all ballots:

a. No one will be allowed to vote without a ballot, which bears the color announced by the Moderator.

b. No one will be permitted to cast a ballot if his or her hand does not bear the stamp of a Teller.

During the course of the aforesaid proceedings, the Moderator may ask for the unanimous consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When he is ready to declare the vote, the Moderator will ask for the unanimous consent of the meeting to return to the Article (a 2/3 vote is required) under which the ballot shall have been taken.

When all of the ballots shall have been cast, the Tellers will extract from each ballot machine the tape that shows the number of votes cast in favor and the number of votes cast in opposition to the motion and hand the same to the Moderator. The Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final."

6. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator will ask the Tellers to come forward and take their places at the ballot boxes that will be placed at the front of the Hall by the Town Clerk. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of each section of voters to their respective ballot box. The voters will then rise and proceed row-by-row to their box, tear their ballots into two parts, deposit one half in the box, the other half in the discard box and return to their seat. In order to assure the security of all secret ballots:

a. No one will be allowed to vote without a ballot which bears the color announced by the Moderator.

b. No one will be permitted to cast a ballot until he or she shall have discarded the other half of the ballot into the discard box in the custody of the Teller.

c. No one will be permitted to leave the hall until after the meeting has adjourned, unless he or she shall have turned all of the ballots that have not actually been used during a vote to the Checkers at the door.

When all of the ballots shall have been cast, the Tellers will open the ballot boxes and count the ballots at the tables situated at the front of the Hall in front of the podium.

The Moderator will then ask for the unanimous consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When the Tellers have completed their count, they shall report their count to the Moderator, the Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.

The Moderator will then ask for the unanimous consent of the meeting to return to the Article (a 2/3 vote is required) under which the secret ballot has been taken.

7. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator may, in the alternative, ask the Tellers to come forward and take their places at the ballot counting machines (ballot machines), which shall have been placed in voting booths by the Town Clerk at the front of the hall behind the Moderator. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of each section of voters to their respective ballot machine. The voters will then rise and proceed row-by-row to their respective machine. A Teller will stamp the back of each voter's hand upon arrival at the ballot machine and hand him or her a ballot, which the voter will then mark in the privacy of the voting booth and deposit in the ballot machine. In order to assure the security of all secret ballots:

a. No one will be allowed to vote without a ballot, which bears the color announced by the Moderator.

b. No one will be permitted to cast a ballot if his or her hand does not bear the stamp of a Teller.

During the course of the aforesaid proceedings, the Moderator may ask for the unanimous consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of another Article. When he is ready to declare the vote, the Moderator will ask for the unanimous consent of the meeting to return to the Article (a 2/3 vote is required) under which the ballot shall have been taken.

When all of the ballots shall have been cast, the Tellers will extract from each ballot machine the tape that shows the number of votes cast in favor and the number of votes cast in opposition to the motion and hand the same to the Moderator. The Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final."

E. Adjournment

1. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

2. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. Questions

In the event that you have a question concerning the conduct of the meeting or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

Thank you for joining us tonight to do the Town's business.

C. Peter R. Gossels, Moderator
March 24, 2005

APPENDIX B: HEAR REPORTS

WAYLAND BOARD OF ASSESSORS

In accordance with section 19-7 of the Code of the Town of Wayland, a report for the Board of Assessors covering the last twelve months is hereby submitted.

The Board has submitted the following:

1. Annual Report of sold properties.
2. The following numbers have been reported:
   a. The Board of Assessors received 275 timely plus one late application for FY05 real-estate abatement.
   b. For FY05, 36 abatements have been granted, 6 have been denied, the rest are pending (as of 3/21/05).
   c. The average value of FY05 abatements granted is $1818.37.
   d. For FY04 there were 13 filings with the Appellate Tax Board (ATB).
   e. Thirteen FY03 ATB filings were settled in 2004 prior to a hearing. Ten FY03 filings were docketed at the ATB: two were dismissed by the ATB, five were found in favor of the Town, two in the homeowners favor, and one was heard and still awaits an ATB decision.
   f. The two ATB cases settled in favor of the property owners resulted in the following assessment changes:

Address:	original assessment:	BOA abated assessment:	ATB abated assessment:
15 Sedgemeadow Rd	$628,100	$577,800	$538,000
57 Moore Rd	$504,000	$493,000	$440,000

3. The following items were assembled from in-house data:

Cyclical Inspections: due to winter weather, inspections are pending

Total number of phase 3 inspections planned for 2004:	340
-number of completed exterior and interior inspections:	252
-exterior inspected, interior inspection refused:	63
-exterior inspected, door hanger left for pending interior inspection:	25

Sold Properties: -See sales report attachment

Number of sold properties 1/1/2004 thru 12/31/2004	283
Number of inspections of sold properties	205

Building Permits

Building Permits Issued in calendar 2003		547
Not home – info based on estimate	107	
Entry gained for inspection	106	
Info at Door	22	
Entry/Info REFUSED	18	
Misc. or entry not required	2	

There were 624 building permits issued by the building department in calendar year 2004. These 2004 permits and the permits issued from 1/1/2005 through 6/30/2005 are to be inspected to determine New Growth for the FY06 tax levy process.

This spring the Board of Assessors will start the fourth phase of a 10-year cyclical inspection program. Approximately 400 parcels are to be reviewed yearly; in 2005 for phase 4 the number may be reduced due to FY06 budget funding reductions. The cyclical inspection process and parcel locations will be announced in the newspaper.

Phase 4 cyclical inspections are planned for the area of town bounded on the East by Alden and Woodridge Roads, on the North by the Weston Aqueduct, on the West by the reservoir area, and on the South by the Hultman Aqueduct.
Phase 3 covered areas north of East Plain Street, east of the Natick town line, south of the Hultman Aqueduct, and west of Main Street. Phase 3 also included Rice Road, Wayland Hills and the Brewster Road area.
The Board of Assessors is giving all homeowners three notifications about the interior and exterior cyclical inspections:
The first notice appears in the newspaper before any inspections are performed.
The second notification is a letter sent to individual homeowners announcing that the data inspector will be in their neighborhood shortly.
The third notification occurs when the data inspector finds the homeowner not at home and leaves a cardboard notice hanging on the door requesting that a scheduled appointment be made by contacting the office.

All members of the Wayland Board of Assessors, the BOA staff, and our contractors and vendors have photo identification badges proving their legitimate identity. At no time will a member of the assessing department show up unannounced at a homeowner's property for inspection. If a homeowner is in the least way suspicious or in doubt even when a legitimate ID badge is displayed, call the Wayland police department immediately and DO NOT let anyone into your home.

In 2004 the Board of Assessors conducted the first Interim Valuation for FY05. The goal of the Interim Valuation program is to capture changes in the rapidly fluctuating real-estate market more quickly than during the three-year Triennial cycles. From now on, Interim Valuation assessments will be performed every year that the Board is not conducting the Triennial Certification Revaluation, according to the Department of Revenue regulations. The next Triennial Certification Revaluation year is FY06.

The Board of Assessors is presently awaiting formal Proposals from our vendors for replacing and upgrading our present computer-assisted mass appraisal system, contracted services for the upcoming FY06 Triennial Certification Revaluation, and contracted services for a town-wide Full Measure and List data collection effort. The replacement and upgrading of our computer system has been an ongoing research study by the Board for the past two years, and funding was received in FY05 for replacement of our computer system.

In January 2005 the Board of Assessors appointed 5 citizens to the Assessment Criteria Committee. These volunteers performed a major feat by completing a preliminary study and prioritized list of factors affecting the assessed value of land and buildings in Wayland. Portions of this report have been included in our Request for Proposals to our vendors, particularly for inclusion in a planned town-wide Full Measure and List. The Wayland Board of Assessors sincerely thanks the members of the

Assessment Criteria Committee for their preliminary and continued efforts to improve the assessment process in Wayland.

In December 2004 long-time Wayland Assessor Frank Aurellio submitted his resignation. The Board of Assessors wishes to acknowledge the 30 years of service by Frank Aurellio as a Wayland Assessor. The Board will miss the wealth of first-hand history and experience brought by Frank, and we thank him sincerely for all his time and efforts through the years. We wish him well in his future endeavors and hope his retirement suits him well.

Respectfully Submitted,

Wayland Board of Assessors

PAR ID	(BUYER) GRANTEE	GRANTEE 2	(SELLER) GRANTOR	#	ADDRESS	CLS	ARM	SELLING PRICE
44 -010	Morris, David M	Morris, Sarah M	Toomey, Joyce E	19	Alden Rd	101	0	1,160,000
48 -050	Wang, Xin	Ren, Zhong J	Gainsboro 31 Alden Rd Qua	31	Alden Rd	101	0	747,000
37 -005	Nagalingam, Thanusha V		Lucas RT	12	Anthony Rd	101	0	495,000
48 -141	LU, HUA	Jin, Ping	Anzivino, Joseph	23	Aqueduct Rd	101	0	541,210
48 -137	Hartunian, Gregory V G	Hartunian, Joanna	Yassa, Dalia T	33	Aqueduct Rd	101	0	530,000
48 -085	Lathan, Christopher S	Kingsbury, Gillian A	Kaufman, Joanne G	46	Aqueduct Rd	101	0	580,000
52 -076	Cerne, Matthew	Cerne, Pamela W	Krasnick, Bernard	15	Bald Rock Rd	101	0	560,000
47B-004	Chan, Marie	Chan, Ya Ling	Winstanley, Martha	11	Bayfield Rd	101	0	550,000
47C-017	Defina, Kathleen M	Defina, Paul	Mauger, Joseph E	43	Bent Ave	101	0	432,600
42D-105	Ding, Darong	Ding, Joanne	Bottomley, Jennifer M	10	Birch Rd	101	0	500,000
46D-078	Neuman, Jill M	Neuman, Mark I	Chisholm, Renate T	12	Bogren Ln	101	0	637,000
30 -064	Aqueduct RT	Nathanson, Stefan M	Triple A RT	75	Boston Post Rd	340	0	397,000
29 -046	Zachery, Angela M	Zachery, Leon	Luttazi, Ramon E	151	Boston Post Rd	101	0	690,000
29 -047	Harrison, Amari B	Harrison, Brian R	Mhatre, Amruta	152	Boston Post Rd	101	0	415,000
24 -085	Kwong-chan, Paul Nga		Chu-meau, Amelia Man	158	Boston Post Rd	101	0	400,000
24 -092A	Wong, Henry H		KMG RT	183	Boston Post Rd	101	0	1,138,000
24 -096	Lupo, Robert N		Taub, Martha C	213	Boston Post Rd	101	0	750,000
23 -080	Deer Meadow RT	Burkin, Michael J	Publicover FT	15	Bow Rd	101	0	625,000
40 -024B	Granoff, Anita M	Granoff, David A	Pratt, Mary D	13	Brandywine	102	0	554,500
40 -024C	Lamb, Erin L		Egdall, Ira Mark	12	Brandywine	102	0	455,000
44 -005	Wisner, Charles M	Hull, L Catherine A	Greenberg, Lois S	6	Brewster Rd	101	0	820,000
39 -023	Hotchkiss, Edith	Hotchkiss, Steven	Gottlieb 1999 RT	12	Bridle Path	101	0	1,300,000
44 -135	Grove, Jerome P		Barber, David J	26	Brook Trail Rd	101	0	771,000
48 -105	Lozowicki, Patricia A		Guo, Aiqun A	33	Brooks Rd	101	0	507,000
38 -163	Strobl, Margaret		Quinn, Catherine T	10	Cameron Rd	101	0	567,500
38 -148	Francis, Rachel D		Miller, Thomas M	15	Cameron Rd	101	0	633,500
48 -118	Anzivino, Joseph	Anzivino, Kelley B	Sylvester, Gillian A	3	Carpenter Rd	101	0	650,000
43A-006	Estrada, David R	Estrada, Denise R	Clifford, Joan M	27	Cedar Crest Rd	101	0	527,750
51D-062	Horan, Jeffrey A		Irwin, Emery W	15	Center St	101	0	400,000
19 -028	Wilson, Kim A	Nuss, Roger C	Schmidt, Charles W	63	Claypit Hill Rd	101	0	1,225,000
19 -069	Hiebert, John C	Tipton, Rebecca B	Gruenberg, Lisa J	74	Claypit Hill Rd	101	0	1,240,000
14 -014	Boyle, John J	Boyle, Mary	Eastern SB	3	Cobblestone Cir	101	0	1,800,000

23 -096	Davidson, Michele F	Davidson, Thomas A	Patterson, Albert	24	Cochituate Rd	101	0	825,000
34 -001	Hass, John D	Hass, Rebecca I	Washington Realty Inc	110	Cochituate Rd	101	0	2,399,000
45 -067B	Blum, William R		Lucille H Ostroff T	1	Coltsway	102	0	473,750
45 -063C	Coltsway Wayland LLC		Foley, Donna E	8	Coltsway	102	0	522,000
45 -062B	Mcguire, Tracey Kaplan		Gerald Flaxer 1980 T	12	Coltsway	102	0	500,000
45 -060B	Roiter, Martha L	Roiter, Stephen H	Roiter, Eric B	16	Coltsway	102	0	565,000
45 -062C	Marlene Kaitz 1992 RET	Kaitz, Alan L	Kurzina, Peter S	11	Coltsway	102	0	507,500
55 -021	Nathans, Elizabeth S		Morris, Catherine A	124	Commonwealth Rd	101	0	397,500
51D-006	Lioi, Jessica	Lioi, John	His RT	211	Commonwealth Rd	101	0	310,000
52 -170	Marques, Aida		Porges, Barbara	254	Commonwealth Rd	101	0	509,900
52 -156	Shapiro, Daniel	Mccorkle, Jill	Walker, Edmund M	367	Commonwealth Rd	101	0	517,500
48 -100G	Regan, David	Horton, Jennifer A	Catanese, Marina E	386	Commonwealth Rd	101	0	675,000
23 -087	Rent, Emily	Rent, Garrett S	Dowell, Jean S	27	Concord Rd	101	0	550,000
11 -094	Cherenfant, Alex	Cherenfant, Yanick Brice	Morrison, Barry	153	Concord Rd	101	0	520,000
11 -016	Concord Road RT	Gadbois, Charles E	Lewis FT	182	Concord Rd	101	0	1,000,000
07 -058A	Duffy, Robert L	Duffy, Tara H	Strobl, Margaret	221	Concord Rd	101	0	1,082,250
07 -005	Lappin, Jeffrey B	Lappin, Kelly B	Phillips, Alfred C	226	Concord Rd	101	0	595,000
07 -057J	Collette, J Michael	Pittelli, Joann E	Davidson, Michele F	267	Concord Rd	101	0	787,500
04 -042	Pond, Julie I	Pond, Timothy S	Concord Road RT	296	Concord Rd	101	0	507,000
04 -047	Nathan, Nadia Salama		Edmunds, Deborah Ann	308	Concord Rd	101	0	525,000
04 -082	Song, Leijun	Wang, Yihong	Cotoni, Joseph D	319	Concord Rd	101	0	522,500
25 -098	Chakraborty, Atreya	Tyagi, Sangeeta	Minkiewicz, Catherine M	12	Coolidge Rd	101	0	681,500
48 -009	Jenzeh, Lisa J		Lee, Lois	37	Country Corners Rd	101	0	726,000
45 -110A	Phillips, Alfred C	Phillips, Sarah Jordan	Geist, Lester H	8	Cutting Cross Way	102	0	735,000
40 -056B	Levin, Marjorie		Spector, Amy C	202	Dahlia Dr	102	0	789,000
40 -058A	Starr, Karen W	Goldberg, Marshall	Atkinson, Barbara H C	401	Dahlia Dr	102	0	770,000
40 -038A	Yu, Yong Rong	Shen, Lin	Mcentire, Melissa W	9	Daybreak	102	0	482,500
52 -034	Foxlow, Geoffrey	Riley, Maureen	Melone, H Jean	34	Dean Rd	101	0	475,000
47C-004	Budnick, Eve K	Budnick, Larry C	28 Doran Road LLC	28	Doran Rd	101	0	785,000
20 -009	Longfritz, David R	Longfritz, Susan E	Ferguson, Elaine A	43	Draper Rd	101	0	1,055,000
16 -023	Flathers, Lisa Carney	Flathers, Scott Michael	Ullman, James R	92	Draper Rd	101	0	685,000
12 -003	Suarez, Fernando F		Gilbert, Karen L	123	Draper Rd	101	0	849,000
47B-014A	Miller, David J		Hoey Robert H Est	22	Dudley Rd	101	0	275,000
51B-057	Cannavino, Celia	Cannavino, Francis Paul	Anderson, Alice H	9	Dunster Ave	104	0	520,000
51B-069	Ahearne, Oliver M	Ahearne, Pauline	Qian, Changgeng	29	E Plain St	101	0	459,400
18 -077	Wang, Ming-qiang	Weng, Ting	Smalanskas, James	3	East Rd	101	0	680,000
46D-114	Sullivan, Amy	Wong Terence	Todd David	24	Edgewood Rd	101	0	850,000
46D-122	Dragon RT	Soohoo, Margaret M	Whitney-stewart, Carol A	50	Edgewood Rd	101	0	285,000
46D-125	Rothschild, Kurt M	Ravin, Paul D	Ocheretyanny, Igor S	51	Edgewood Rd	101	0	620,000
50 -086	Ward, Andrew	Ward, Emine N	Medvinsky, Michail	62	Edgewood Rd	101	0	585,000
42D-091	Stefancik, Robert		Burgos, John M	16	Emerson Rd	101	0	405,000
40 -031A	Anne B Chase TR	Chase, Anne B	Conley, Madeline B	6	Fox Hollow	102	0	575,000
39 -038	Knapp, Elizabeth R H	Knapp, John F	Beacham, Augusta C	16	Fox Meadow Ln	101	0	770,000
39 -036	Deveney, James J	Safar-deveney, Nathalie	Geisman, James H	24	Fox Meadow Ln	101	0	740,000

50 -014	Langsdorf, Alison Sopher	Langsdorf, Jack M	Hays, Lauren L	47	Fuller Rd	101	0	544,000
50 -005	Booth, James	Broome, Leticia M	Baker RT	7	Gage Rd	101	0	522,500
43A-028	Mysore, Naresh C	Mysore, Seema R	Tenanty, Stephen F	22	Garden Path	101	0	545,000
43A-035	Zhang, Haowei	Liu, Xiaole	25 Garden Path RT	25	Garden Path	101	0	599,000
45 -101A	Lowenstein, Janice M		Kaufman, Christa M	1	Glen Oak D	102	0	1,045,000
45 -106A	Thornton, Deborah D		Aronson, Melvin P	21	Glen Oak Dr	102	0	1,175,000
45 -108C	Tofias, Allan	Tofias, Arlene S	Sky Five RT	33	Glen Oak Dr	102	0	1,260,000
45 -101B	116 Plain Road RT	Moncure, Ashby C	Rosenberg, Lorna	3	Glen Oak Dr	102	0	900,000
14 -040	Morrison, Lynne Alix	Morrison, William C	Mccall, Alexandra S	42	Glezen Ln	109	0	2,282,500
15 -012	Panzano, Giulio	Panzano, Laurin	Pedersen, Elizabeth B	127	Glezen Ln	101	0	1,129,700
11 -072	ABT RT	Shane, Thomas R	Leonard Rodier 2001 T	160	Glezen Ln	101	0	625,000
33 -006	Deprsito, Andrew	Deprsito, Elisabeth	Strachan, Ann W	1	Green Way	102	0	905,000
33 -011	Frankel-nau, Amy	Nau, David M	Mcneil, Alexander H	11	Green Way	102	0	800,000
01 -033	Mudambi, Shyam	NE Moves Mtg Corp	Goodhue, Lisa Dana	16	Hampshire Rd	101	0	736,200
25 -034	Dickson, Jane	Purser, Robert K	Hayward Road RT	6	Hayward Rd	101	0	500,000
12 -018	ORourke, Ann M	Batarekh, Camille	Snider, Barbara	74	Highland Cir	101	0	1,150,000
45 -073D	Newman, Marilyn		Terdiman, Rita	15	Hillside Dr	102	0	382,000
45 -090A	Kurzon, Jessie		Gilmore Robert A Est	32	Hillside Dr	102	0	596,000
45 -083B	Macmillin, Lisa		Panzano, Laurin	83	Hillside Dr	102	0	590,000
45 -085C	Tucker, Elizabeth M		Dichiaro, Kristen L	103	Hillside Dr	102	0	540,000
45 -047A	Kant, Charlotte		Siegel, Judith	2	Indian Dawn	102	0	505,000
25 -104A	Small, Heidi E	Small, Kenneth D	Ebben, Paula M	1	Joels Way	101	0	955,000
25 -104B	Papakyrikos, Nicholas A		Place, Melinda J	2	Joels Way	101	0	1,150,000
43C-053	Kaplan, Elena	Golod, Leonid E	Yakhkind, Mikhail	29	Lakeshore Dr	101	0	505,000
45 -039B	Kmit, Natalie M		Silver, Linda G	4	Lakespur	102	0	497,000
47B-050	Wehrli, Katharina		Knill, Paolo J	6	Lakeview Rd	101	0	236,000
47B-045	Fowler, Frederick V	Boucher, Tina Marie	Parone, Kristin	24	Lakeview Rd	101	0	455,000
47A-042	JAGOLINZER, ANDREW	JAGOLINZER, JENNIFER	BEAUMONT, HELEN	36	Lakeview Rd	101	0	315,000
52 -001	Patel, Pankaj B	Patel, Parul P	14 Langdon Road NT	14	Langdon Rd	101	0	620,000
51B-052	Martins, Laura	Martins, Michael	Bush, Timothy R	17	Leary St	101	0	432,500
08 -008	Edmunds, Deborah A	Edmunds, James R	Johnsen, Bonnie A	92	Lincoln Rd	101	0	1,050,000
48 -060	Hui, Sherry	Wang, Zhong	Paten, Angele Marie-clair	72	Loker St	101	0	721,500
48 -004	Karbowski, Joseph A	Duggan, Margaret M	Camayd, Ana Perez	153	Loker St	101	0	685,000
45 -023	Stoller, John S	Stoller, Kate E	Halperin, Karin Kurp	1	Loring Ln	101	0	755,400
45 -024	Trounson, David W	Trounson, Laura J	Stavisky, Dmitry	5	Loring Ln	101	0	869,900
25 -045	Tan, Francis J	Robertson, Laura M	Cotton, Howard H	5	Lundy Ln	101	0	500,000
40 -066A	Scolnick, Barbara B	Scolnick, Edward M	Sola, Frank A	1201	Magnolia Dr	102	0	1,085,000
51B-075	Bazemore, Karen A	Bazemore, Mark A	Macarthur, Diane M	166	Main St	101	0	520,000
47D-030	Kelly-donohue, Michelle	Donohue, Sean M	Reza, Omar	241	Main St	101	0	404,380
47D-026	Larionne, Marie C		Chan, Marie M K	244	Main St	101	0	263,000
47D-011	Fitzgerald, Nissa T	Fitzgerald, Sean P	Stahl, Shirley A	7	Mathews Dr	101	0	400,000
36C-014	Vilenchek, Irina	Popov, Nikolay	Walsh, Cathleen E	9	Meadow View Rd	101	0	535,000
24 -165A	Tran, Mot Van	Tran, Tina Tien	Sulkis, Kim D	8	Michael Rd	101	0	649,000
24 -165C	Wong, Jo Ey	Wu, Yu Huai	Jarbeau, Jennifer F	16	Michael Rd	101	0	674,000
24 -165G	Stahl, Jacqueline	Stahl, Jon	Doyon, Alan L	25	Michael Rd	101	0	781,000
10 -011	West, Debra J	Keegan, Michael W	Elkin, Susan D	37	Moore Rd	101	0	608,650
10 -001	Wang, Chih Chiang	Chiang, Tsui Li	Flecke, Erin M	65	Moore Rd	101	0	490,000

23 -101	Tully, Deborah	Tully, Keith	Flowers, Ann A	8	Nob Hill Rd	101	0	692,000
36C-019	Diaz, Deborah Dyson	Diaz-santiago, Jorge	Rockett, Barbara E	22	Oak Hill Rd	101	0	570,000
30 -057B	PETERSEN, ALBERT	PETERSEN, NORMA	BEESON, THOMAS	50	Old Connecticut Path	101	0	1,810,000
34 -008	Lutz, Esther	Akbar, Peter	Shapiro, Daniel S	120	Old Connecticut Path	101	0	690,000
33 -001P	Davis, Tyree R		Rao, Praneeta	192	Old Connecticut Path	101	0	1,650,000
38 -118	Djafari, Lisa	Djafari, Nader	Old Conn Pat RT	245	Old Connecticut Path	101	0	678,000
46A-007	Segel, Andrew	Segel, Lisa	Hong, Eva Yihui	464	Old Connecticut Path	101	0	377,500
38 -111	Whitehouse, Jinglei D		Shaklik Edward Joseph Est	11	Old Farm Rd	101	0	563,500
38 -062	Cappellucci, Anne	Cappellucci, John	Brown, David L	16	Old Farm Rd	101	0	552,000
23 -061	Jones, Hugh R	Jones, Robin G	Wilson, Kim A	7	Old Sudbury Rd	101	0	850,000
52 -102	Duan, Yaoming	Xu, Zhenyan	Peirce, Pauline M	6	Old Tavern Rd	101	0	450,000
52 -098	Lambrecht, Lars A		Hogarty, Kimberly A	9	Old Tavern Rd	101	0	1,075,000
52 -111	Burgos, John	Burgos, Laura	Zarek, Ellyn S	32	Old Tavern Rd	101	0	556,000
18 -053	Docherty, Christine	Swope, Kevin A	Dirrane, John B	45	Orchard Ln	101	0	555,000
18 -050	Checkoway, Allan B		Lucas-Spencer, Joan	56	Orchard Ln	101	0	730,000
36C-058	Delorey, Sharon Poisson		Allen, Charles S	16	Overlook Rd	101	0	395,000
04 -079E	Huynh-wong, Kathy	Wong, Kevin	Todd, David A	19	Oxbow Rd	101	0	665,000
03 -018	Clark, David S	Clark, Kathy Jo	Chamberlain, Mary Louise	172	Oxbow Rd	101	0	688,200
03 -003	Dahan, David	Moshenberg, Maya	Akins, Charles M	209	Oxbow Rd	101	0	535,000
51A-022	Sulkis, Kim		Nolan, Brian T	17	Parkland Dr	101	0	485,000
50 -088	Parker, Anne E	Breger, Lisa S	Sperry, David M	19	Parkridge Rd	101	0	325,000
50 -078	Monahan, Brian		Taylor, George M	26	Parkridge Rd	101	0	330,000
47B-091	Huang, Jin	Wang, Zhaohui	Johnson, Donald E	10	Peck Ave	101	0	445,500
28 -029	Sodickson, Aaron	Sodickson, Samantha Libby	Fontaine, Laura E	139	Pelham Island Rd	101	0	707,000
43D-020	Wilson, Anne H	Wilson, Nathan J	Furrer RT	22	Pequot Rd	101	0	510,000
43B-025	Sobel, Wendy K		31 Pequot Road RT	31	Pequot Rd	101	0	535,000
14 -029F	D L RT	Schimmel, Daniel J	Briggs, Barry	8	Pheasant Run	101	0	2,175,000
45 -099A	Barrett, Noreen	Gately, William P	Savit, Michael	9	Pickwick Way	102	0	585,000
45 -093A	Gerald, Marie G		Lahaise, Mary Ann	16	Pickwick Way	102	0	583,400
45 -096A	Glynn, Adriana W		Rossow, Phyllis S	42	Pickwick Way	102	0	605,000
42D-125	Liu, Ling Yi		Morris, William J	31	Pineridge Rd	101	0	299,900
24 -140	Lesperance, Brett J	Lesperance, Emily A	Harwood, Deborah	42	Plain Rd	101	0	594,200
20 -033	Stonegate RT	Breer, Veronika R	116 Plain Road RT	116	Plain Rd	101	0	1,895,000
25 -106	Brackenridge, Alexander	Brackenridge, Heidi K	Dunham, Brian W	156	Plain Rd	101	0	993,000
51A-021	Langan, John B	Langan, Sara A	Nolan-Burke, Kathryn	22	Pleasant St	101	0	480,000
04 -022	Shrinivas, Abhirami	Shrinivas, Venkat	Mchale, Brian J	13	Red Barn Rd	101	0	475,000
04 -020	Chused, David J	Chused, Kimberly B	Sirva Relocation LLC	19	Red Barn Rd	101	0	521,000
49 -002	Yassa, Dalia	Matta, Abraham M	Morrison, Lynne Alix	49	Rice Rd	101	0	982,000
45 -015A	Halby, Peter C		Howard, James Merriam	54	Rice Rd	101	0	550,000
35 -030G	Dallin, Andrew D	Dallin, Gina M	Roberts, William C	227	Rice Rd	130	0	725,000
38 -125	Bellettiere, Michelle M		Dahlberg, Joyce V	31	Rice Spring Ln	101	0	400,000
46B-070	Santos, Aelcio Almeida	Santos, Maria	Howard, Kristen K	10	Richard Rd	101	0	389,000
46D-103	Paik, Ellen J	Paik, Yong K	Magsino, Ann L	5	Ridgefield Rd	101	0	396,250

36C-034	Ravosa, Richard S		Broome, Leticia M	66	River View Cir	101	0	380,500
38 -077	Brewton, Kara E	Brewton, Nathan E	Baxter, Charles E	36	Rolling Ln	101	0	557,000
38 -078	Andreasen, Robert J	Leong, Stephanie A	Randall, Frederick A	38	Rolling Ln	101	0	650,000
52 -174	El-moucharrafieh, Amine	El-moucharrafieh, C Ann D	Meunier, Robert L	4	School St	101	0	316,000
16 -005	Brown, Scott	Mckenney-brown, Sheila	Sosnowski Trust 1	58	Sears Rd	101	0	910,000
39 -034	Fay, Adrian A	Fay, Maria	Williams, Shari L	33	Shaw Dr	101	0	949,900
39 -035	Nelson, Gayle C	Nelson, Robert O	Lefner, Ken	41	Shaw Dr	101	0	852,500
51C-052	Chretien, Florence	Chretien, Jacques	Martinez, Consuelo	15	Shawmut Avenue Ext	101	0	450,000
06 -035	Kokate, Charulata		Flathers, Lisa C	43	Sherman Bridge Rd	101	0	565,000
45 -056	Sandbank, Lisa		Gray, G Marie	4	Steepletree Ln	102	0	415,000
45 -052B	Lyndon, Isabel M		Marcus, Judith S	12	Steepletree Ln	102	0	520,000
45 -051A	M Jane Noonan RET	Noonan, M Jane	Hybels, Judith H	15	Steepletree Ln	102	0	590,000
42A-002	Cutler, Bruce A	Cutler, Lynn Ann	Chen, Yu-jun	75	Stonebridge Rd	101	0	372,000
36C-070	Stonebridge Road LLC		Crockett, Charlotte M	223	Stonebridge Rd	101	0	375,000
25 -037	Ma, Dorothy S Kao	Ma, Erich Hing Sang	Blair, David A	6	Sylvan Way	101	0	574,000
07 -034	Zhou, Hao	Huang, Ying	Nichols, Jennifer D	12	Tally Ho Ln	101	0	419,000
48 -099A	Chasen, Allan S	Chasen, Rebecca H	Schimmel, Daniel J	6	Thompson St	101	0	1,022,000
48 -099D	Kahan, Lloyd	Kahan, Suzanne	Henley, Ernest S	16	Thompson St	101	0	1,209,000
15 -046	Nichols, Jennifer D	Crawford, John D	Shane, Josephine W	25	Three Ponds Rd	101	0	725,000
52 -136	Lichtor, Christine A	Lichtor, J Lance	Kelley, Anne P	7	Timber Ln	101	0	537,000
52 -009	Flatley, John A	Mchugh, Meghan	Greblick, David M	8	Timber Ln	101	0	430,000
51A-072	Thompson, Lucia	Thompson, Thaddeus	77 W Plain RT	77	W Plain St	013	0	560,000
51A-061	Bhat, Abdul	Bhat, Najma	Frothingham, Edward	113	W Plain St	101	0	450,000
51A-060	Gilani, Ahmed Z	Kazmi, Talat S	Yates, Bridget	117	W Plain St	101	0	520,000
46D-137	Rowe, Jenna	Rowe, Mark	Widmer, James J	216	W Plain St	101	0	392,750
42D-017	Vickmark, Bryce	Rosen, Rochelle	Deane, Carol A	9	Wallace Rd	101	0	382,000
49 -004	Steller, Bettina	Siegel, Douglas M	Rubin, Ian Eric	4	Wayland Hills Rd	101	0	643,500
49 -021	Berdichevsky, Irina	Berdichevsky, Stanislav	Horwitz, Deborah S	25	Wayland Hills Rd	101	0	592,500
49 -011	Sivasubramanian, Jeyashre	Sivasubramanian, M S	Kennedy, John B	30	Wayland Hills Rd	101	0	700,000
45 -029	Schreiber, Jennifer B	Schreiber, Michael A	Tatelman, Barry E	42	Wayland Hills Rd	101	0	1,150,000
10 -054	Marto, Jarrod A	Marto-trotter, Marjorie	Harris, Louise B	5	Wayside Rd	101	0	666,850
30 -016	Bean, Michael J	Bean, Teresa M	Murmes, Matthew A	16	Westway Rd	101	0	750,000
30 -026	Chuang, Shih-min	Hwang, Wen-chyi	Washington Rlty Inc	21	Westway Rd	101	0	1,000,000
30 -019	Drews, Mark	Leong, Rebecca J	Mitchell, Douglas J	22	Westway Rd	101	0	632,000
24 -069	Chiang, Mei Feng		Dik, Margery P	5	Wheelock Rd	101	0	410,000
30 -004	Chakrabarti, Joanne S	Chakrabarti, Supriya	Raphaelian, Eugene A	17	Whispering Ln	101	0	1,235,000
48 -025	Bowditch, Andra R	Bowditch, Andrew R	Lewis, Mark S	14	White Pine Knoll Rd	101	0	660,000
30 -090	Cohane, Christopher	Cohane, Sibyl F	Howard, Anne W	12	White Rd	101	0	705,000
51D-047	METRAKAS, CHARLES		WASHEK, KEVIN	16	WILLARD ST	104	0	485,000
53 -030A	Ritt, Dorothy Ann	Ritt, Paul E	Obrien, John R	204	Willowbrook Dr	102	0	700,000
53 -030B	Gorlick, Laurie	Ruggieri, Lisa	Barba, Carl J	205	Willowbrook Dr	102	0	625,000
53 -034D	Restrepo, Angela M	Robledo, Carlos I	Bath, Katherine F	305	Willowbrook Dr	102	0	692,500
53 -037B	Chagnon-holbrook, Michell	Holbrook, Rick	Grossman, Linda	315	Willowbrook Dr	102	0	691,500
51D-050	Vora, Bhagirath N	Vora, Trupti B	Chittilappilly, Anto A	33	Winter St	101	0	425,000
40 -061A	Knight, Susannah A		Bogard, Nicholas C	701	Wisteria Way	102	0	1,070,000

40 -061D	Pavlic, Roberta S		Ajay RT	704	Wisteria Way	102	0	900,000
40 -064E	Deutsch, Eric A	Deutsch, Marjorie E	Cappallo, Kevin J	1005	Wisteria Way	102	0	825,000
40 -065C	WARE, ROBERT	WARE, DEBORAH	BOMBACI, VINCENT	1103	Wisteria Way	102	0	799,900
42D-130	Belzer, Amy J	Belzer, Frank A	Odonnell, Ellis M	21	Woodland Rd	101	0	230,000
42D-136	Turovskaya, Anna	Libenzon, Leonid	Arnold, Anne C	32	Woodland Rd	101	0	425,000
39 -045	SHAHABUDDIN, MOHAMMED	BEGUM, SHAHINOOR	MITRUSHI, PAUL	13	Woodridge Rd	101	0	870,000
39 -046	VanRooyen, Julia B	VanRooyen, Michael J	Safar, Daniel R	15	Woodridge Rd	101	0	1,195,000
44 -088	Parkhurst, Claire M	Parkhurst, Geoffrey G	Mcdermott, Carmel H	52	Woodridge Rd	101	0	734,000
44 -121	Kim, Barbara M	Kim, Peter H	Mccracken, Kathe	113	Woodridge Rd	101	0	685,000
44 -018	Rubin, Ian E	Rubin, Marjorie Z	Lambrecht, Lars	127	Woodridge Rd	101	0	970,000
44 -002	Romero, Javier	Romero, Jenny	Kant, Charlotte	139	Woodridge Rd	101	0	497,500
			NON - ARMS LENGTH					
46B-002	Jamestown Realty LLC		Chiang, Edward TT	1	Alice Dr	130	G	435,000
47A-092	Morss, Carla C	Morss, Warren H	Wetzstein RT	33	Bayfield Rd	101	O	600,000
23 - 052/52C/52F	WAYLAND BUS ASSOC		GRM PROPS II	400	Boston Post Rd	400	B	16,500,000
24 -110	New Creation Investments		Dumaine, Dudley B	8	Brackett Rd	101	N	359,444
19 -028	Lewis, Anette S	Lewis, Clifford W	Schmidt, Charles W	33	Claypit Hill Rd	018	G	125,000
49 -032	Szczurko, Daniel	Szczurko, Michelle	Deangelis, David W	38	Clubhouse Ln	132	N	545,000
38 -032	Smith, Adaline C	Liau, Gene	Yazdi, Haideh K	12	Cole Rd	101	D	838,000
51D-071	Carl J Bloch RET	Bloch, Christine M	Clark, Kathleen M	178	Commonwealth Rd	013	D	710,000
52 -209F	Zona, Paul		Carpenter, Carleton G	348	Commonwealth Rd	101	N	485,000
18 -091	Siewers, Jane F	Siewers, Mark I	Butcher, Scot E	37	Concord Rd	101	N	849,900
18 -087	Secord, Alexandra E	Gordon, Zachary R	47 Concord Road RT	47	Concord Rd	101	N	350,000
07 -058B	Duffy, Nicole C	Duffy, William J	Duffy, Robert L	223	Concord Rd	101	A	808,000
07 -057	Synodis, Joseph	Synodis, Susan	B T RT	225	Concord Rd	130	D	1,460,000
47A-053	Santospago, Chris M		BYRNE, ANNE	18	Crest Rd	101	A	100,000
47A-053	Santospago, Chris M		Santospago, Scott P	18	Crest Rd	101	A	100,000
47A-076	Brown, Janice		Maccleave, Jeffrey P	113	Dudley Rd	101	A	250,000
51B -056	Allen, Paul Mark	Allen, Yvonne S	Marion Burleigh Lever IRT	13	Dunster Ave	101	O	300,000
14 -041B	Luxembourg American Prop		NFB Realty Partners LLC	4	Ellen Mary Ln	101	O	3,340,500
51D-016	K&J RT	Clement, Steven P	Bowles, Thomas W	9	French Ave	101	R	400,000
51D-016	Pierce, Casey		K&J RT	9	French Ave	101	R	510,000
51D-014	Sinoff, Elizabeth		Kenney, Mary C	19	French Ave	101	O	309,000
51A-050	Jennings, Lauren H	Jennings, Shawn C	Mahoney, Jennifer T	34	Fuller Rd	101	N	597,000
18 -014	Chase, Frank	Chase, Karen A	Chase, Anne B	8	Glezen Ln	101	A	1,000,000
44 -080	MCCONNON, SHAUN	MCCONNON, BONITA	MARSHALL, PATRICIA	17	High Rock Rd	101	R	1,080,000
44 -080	Blair, David	Goldin, Maureen	Mcconnon, Bonita C	17	High Rock Rd	101	R	1,050,000
43B-051B	Sheffels, Barbara M		Greenberg, Edwin L	27	High Rock Rd	101	Z	1,000,000
16 -041	Alexander, Cheryl	Alexander, Michael	Gardner, Catherine A	88	Highland Cir	101	N	1,025,000
45 -071A	21 Alden Rd Qualified Res	Gainsboro, Irene	Kaplan, Tracey	12	Hillside Dr	102	N	564,000
45 -078A	Marden, Natalie		Feltquate, Barbara	51	Hillside Dr	102	N	700,000
45 -076C	Raskin-Abrams, Susan		Hillside Dr RT	41	Hillside Dr	102	N	416,000
45 -081A	Mozes, Jack	Mozes, Paula D	Irene Hershon RT	69	Hillside Dr	102	O	557,500
16 -051	Prudential Res Svcs		Macbride, Arthur J	3	Jericho	101	R	1,157,500

16 -051	Cahaly, Ralph J	Cahaly, Susan M	Prudential Res Svcs	3	Jericho	101	R	1,157,500
43C-034	Sequin T	HURLEY, STEPHEN	Lyons, Paul A	11	Lakeshore Dr	101	A	150,000
11 -038	MCCAULEY DEV		GANSON, JP/JW TRSTS	14	LINCOLN RD	101	N	1,200,000
04 -098A	Brown, Pamela C	Brown, Trenton H	Durand Dev Corp	112	Lincoln Rd	101	N	2,050,000
24 -159A	Meiseles, Bradford	Meiseles, Joanna B	Lingley Lane LLP	7	Lingley Ln	101	N	1,630,000
51C-081	Nolan, Elizabeth I	Nolan, Joseph F	Nolan, Mary E	19	Maguire Rd	101	A	150,000
43C-061	Winner, Gordon E	Kronenberg, Jeffrey	East, Cyril A	10	Mayflower Path	101	N	123,500
43C-061	Winner, Gordon E	Kronenberg, Jeffrey	East, William V	10	Mayflower Path	101	N	61,750
43C-061	Winner, Gordon E	Kronenberg, Jeffrey	Whelchel, Marilyn H	10	Mayflower Path	101	N	61,750
14 -048	Sperling, Laurene M	Sperling, Scott M	Whelan, Kathleen M	6	Moore Rd	101	O	1,750,000
10 -009	Washington Rlty Inc		GBL RT	45	Moore Rd	101	N	465,000
52 -143	11 Oak Street NT	Kennedy, John Bruce	Livezey, Barbara A	11	Oak St	101	N	350,000
38 -011	Smalanskas, James G	Smalanskas, Miriam Torres	Washington Realty Inc	197	Old Connecticut Path	101	DR	540,000
38 -176	Canby, Darrell J	Nickerson, Jan	Nickerson, Graham Jan	222	Old Connecticut Path	101	N	684,000
43D-027	Wilson, Nathan J		Kranz, Donald J	19	Pequot Rd	101	N	410,000
24 -148	Washington Realty Inc		Bayer, Deborah E	72	Plain Rd	101	O	740,000
25 -093B	Burbank RT	Venuto, Peter	AML T	145	Plain Rd	101	N	350,000
04 -020	Sirva Relocation LLC		Xie, Kewei	19	Red Barn Rd	101	R	521,000
40 -017A	Field At Mainstone Inc		Hamlen RT	124	Rice Rd	130	G	2,000,000
20 -002	Gilbert, Karen	Gilbert, Steven S	Platika, Doros	35	Sears Rd	101	O	1,295,000
52 -055	Alford, Matthew L	Alford, Tricia A	Alford, Leonard S	19	Snake Brook Rd	101	A	400,000
51D-052	Koulalis, Margaret A	Koulalis, Steven J	Sherman, Donald E	14	South St	101	N	291,000
47B-061C	Brandaleone, Nicholas	Brandaleone, Stephanie	Spencer Circle RT	7	Spencer Cir	130	D	1,270,000
15 -056	Davies, Dana B	Davies, Stuart E	Owsley, Jonathan H	14	Squirrel Hill Rd	101	O	963,000
30 -013	Gargano, Margaret	Gargano, Michael	Theofilos, George P	10	Westway Rd	101	O	551,000
53 -026D	DM RT	Mccarthy, Darlene	Gatson, Lorraine R	106	Willowbrook Dr	102	N	565,000
51D-076	HUANG, JINLAN	Xu, Mingxiang	Savage Robert M Sr Est	17	Winter St	132	N	411,900
51D-075	Huang, Jinlan	Xu, Mingxiang	Savage Robert M Sr Est	17	Winter St	101	N	411,900
44 -017	Buckley, Kerry	Kaufmann, Matthew P	Mckinnon, Gladys Lavin	131	Woodridge Rd	101	J	285,500

COMMUNITY PRESERVATION COMMITTEE

CPA Revenue -

Receipts from taxes FY 02-04	$ 1,215,673
Bank Interest received	20,307
State Trust Fund distributions	771,745
Total for period	$ 2,007,725
Receipts from taxes FY 05-February 28'05	$ 350,986
Bank interest received	25,983
State Trust Fund distribution	447,456
Total for period	$ 824,424
Total CPA revenues to February 28'05	$ 2,832,149

Project Report

As of the April 2004 town meeting the following projects have been approved –

• **Repair of town's historic gravestones** - By the end of November 2004, the contractor has treated 191 of the 249 headstones in North Cemetery that require repair/restoration. In South Cemetery, 110 headstones that require repair have been cleaned. Work will resume as weather permits with an expected project completion date of August 2005.	$ 65,000
• **Planning study to create a railroad interpretive site** - The "Wayland Railroad Interpretive Site Study" report will be completed in April 2005 and will be available in the Wayland Library. The study presents a vision and recommendations for the preservation and future use of Wayland's historic railroad site and associated artifacts.	$15,000
• **Environmental testing at former Nike Site** - Work has been completed.	$ 35,000
• **Historic marker preservation program** - Repairs on Wayland's most endangered historic markers and monuments will be coordinated by the Park and Recreation Department based on an assessment by the Historical Commission. This assessment is expected to be completed by summer 2005.	$ 5,000
• **Acquire 2.75 acres at former Nike site for affordable housing and provide funds for demolition and site preparation** - The 2.75 acres have recently been purchased. Demolition and preparation have not begun.	$500,000
• **Site preparation and demolition of former Nike site** -This refers to the approximately 11 acres of open land that remained after the 2.75 acres for housing were identified. The deed for the 11 acres should be signed by the end of April. Site preparation will begin subsequent to the property acquisition.	$100,000
• **Administrative fees for Community Preservation Committee** - No funds have been expended.	$10,000
• **Set aside $600,00 for future open space acquisition -**	No additional action has been taken.

Comments Wayland's participation in the CPA is working well. Open land has been protected at the former Nike Site, progress is being made toward affordable housing at this site, and three historical preservation projects are under way. A potential affordable housing site will be presented for a vote at the April 2005 Town Meeting. To date, Wayland has received three 100% matches from the State Trust Fund for a total of $1,219,201.

Seventy-one communities now participate in the CPA. Unfortunately, the State CPA Trust Fund has become a tempting target for various agencies and elected officials. To date, several attempts to raid the trust fund have been defeated. We can, however, expect many more efforts to provide CPA funds to communities that have not chosen to participate in the CPA program. This will serve to discourage additional communities from adopting the CPA and will ultimately result in reduced state funding for those communities that do participate.

Michael Patterson
Community Preservation Committee

REPORT OF THE NIKE SITE REUSE ADVISORY COMMITTEE ("NSRAC")

The Board of Selectmen ("BOS") appointed eleven members to the NSRAC in November 2004 and the Committee began meeting on a weekly basis soon thereafter. The Committee is charged with advising the BOS on developing a cost-effective plan and implementing that plan to reuse the Nike Site, located on Oxbow Road. The site comprises two parcels; one of approximately 10.71 acres (Lot 1) that is reserved for conservation and passive and active recreation; and the other consisting of approximately 2.75 acres (Lot 2) that is reserved for the construction of up to 16 residential units with a priority given to affordability as defined by the Commonwealth. A handicapped accessible trail is to ring the entire property.

Ownership of the land was recently transferred to the Town by the Federal government, with the General Services Administration ("GSA") acting as the agent for the government. Lot 1 was transferred to the Town, for no consideration, by the National Park Service as part of the Federal Parks-for-Lands program. The Town paid the GSA $395,000 for Lot 2. The NSRAC has followed the finalization of these transactions and has been preparing for the Town to assume ownership by planning to secure the site until plans are adopted and construction begins. There will be repairs made to the safety fence that surrounds the site and 'No Trespassing' signs posted around the perimeter of the site.

The Committee is focusing on three areas: Property Management; Development & Finance; and Design. A long range time table has been made and includes all of the tasks set forth in the Committee's charge, the undertakings set forth in the Town's application submitted to the National Park Service and the commitments made when the Town Meeting approved the acquisition of the former Nike Site. This time table also reflects the deadlines for various funding options that will be used to develop and implement plans.

Property Management includes plans for security of the site, for demolition of structures on the site, and management of environmental issues.

Development & Finance includes investigating how the improvement of the property will be funded, applying for such funds, and following through with the development of the site including permitting and managing technical assistance.

Design includes the physical features of the site and the construction that will take place in order to implement the plan. Not only will this include the housing, but also the roadway, the 50-foot buffer around the perimeter of the property, any trails through the site, the parkland lay-out, and the sign at the front of the property acknowledging the National Parks Service roll in the project.

Throughout the planning phase of the Committee's work, input will be sought from those who reside in the general vicinity of the site.

The NSRAC information is updated regularly on the Town website at http://www.wayland.ma.us/planning/nike/NikeSite.htm.

Committee Membership:
Gretchen Schuler and Bill Sterling, Co-Chairs
Paul Abramson, Brian Boggia, Michael Gitten, Ira Montague, Brian O'Herlihy, Olga Pitel, Connie Pitt, Rebecca Regan, Michael Staiti

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STATION 2 PLANNING & CONCEPT DESIGN STUDY COMMITTEE

The Station 2 Planning & Concept Design Study Committee was formed as a result of a 2000 Annual Town Meeting Warrant Article calling for an analysis of the Cochituate Fire Station No. 2. After much work, the Committee's proposal to build new and/or renovate Station 2 failed. In its place Town Meeting appropriated $100K for needed repairs.

As of this, our 2005 Annual Town Meeting, I am pleased to report the following work has been completed at Station 2:

- Prior to the roof work being performed, a test for mold was performed in the building (test results were negative).
- The flat leaking roofs over the Fire/Police and Art Center (Park & Rec) portions of the building were replaced.
- In an effort to conserve energy and improve building lighting, suspended ceilings were installed in some areas of the building and the Committee utilized NSTAR's Energy & Cost Savings Program to replace inefficient lighting fixtures.
- Interior rooms have been freshly painted.
- Exterior trim has been painted.
- Reoccurring and costly mechanical problems with 50 year old fire apparatus bay doors resulted in the replacement of two large bay doors.
- New carpet was installed in the firefighters living quarters.
- Some electrical service updates were completed.
- Installation of a fire alarm system.
- New window treatments

The Committee continues to believe that the demand for Public Safety and Park & Recreation services will continue to grow. The funds expended by this Committee were used to address maintenance issues only and were undertaken to extend the useful life of this building. Any previously discussed structural changes or building updates remain unresolved.

As Committee Chairman, I want to say that this Committee would not have been able to accomplish all that we had hoped to do if it were not for the cooperative effort of department heads and employees of both the Wayland Fire Department and the Park & Recreation Department.

Well, the Committee's work is done and I would like to personally thank Kathleen Lang, Gerry Galvin, Betty Sweitzer and Connie Bean for their time, effort, dedication and most importantly their

Pride in their work. For me it has been a pleasure and an honor to work with such dedicated residents of the community.

In closing, I will repeat for the final time, a quote from one of the architects who originally looked at the Station 2 building. He said "If there is a message to be conveyed to the Town in all this, it has to do with the eventual high cost of deferring maintenance….." "Earlier action (in this case, years earlier) would mean a simpler repair." Thank you.

REPORT OF THE YOUTH ADVISORY COMMITTEE

The YAC oversees Wayland Youth & Family Services, which is counseling and prevention program serving Wayland students and their families. Confidential counseling is provided free of charge. Students can be seen during a free block in school or after school at the Town Building. The staff provides family therapy and consultation or counseling for parents. We have also co-led social skills groups at the high school. Every year a staff member gives presentations to high school biology classes about body image and eating disorders prevention.

WYFS participates in Wayland's Substance Abuse Task Force. This year we worked with a group of high school students to organize a community forum on adolescent substance use which took place on March 31. Titled "Speak Out", the focus was on giving students a chance to speak to adults about their perspective on the use of substances and how parents can deal with the issues.

The director of WYFS is an advisor to the Community Service Leadership Program, a community service program for high school students. Students are given the responsibility to plan and organize community service projects in Wayland and the larger metropolitan area. Students have participated in Habitat for Humanity, Rebuilding Together Boston, the Wayland Fishing Derby, visiting with senior citizens at Traditions, helping out at soup kitchens, and many more projects. This year we initiated a summer community service program for high school students who are in Wayland over the summer.

WYFS sponsors the Single Parent Network which organizes programs for single parents and their children. The goal of this network is to provide opportunities for single parents to meet, socialize, and support each other in both emotional and practical ways, and to offer programs and speakers that address the needs and challenges of single parents. A single parent's discussion group has met monthly. The programs have included eating dinner together and childcare provided by students from the High School community service program.

Parent education is another focus of our community work. We provide parent discussion groups which are organized by grade and meet monthly with a parent educator. We have collaborated with the WHS guidance department to provide a discussion and support group for parents focused on the college application process. We also collaborate with the PTOs to bring speakers to Wayland on topics important to Wayland parents. This year we had a speaker on Internet Safety for elementary school parents, and a speaker on "Being the Parent You Want To Be".

This year the board initiated periodic meetings with a group of high school students who will be ongoing student representatives to the YAC. These students will keep the YAC apprised of student issues and also help to make students more aware of WYFS.

APPENDIX C
PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

GROUP: NON UNION – ADMINISTRATIVE AND PROFESSIONAL
Effective: January 1, 2005 (2% Adjustment)

STEP	1	2	3	4	5	6	7	8
G1	58,677	59,934	61,191	62,448	63,704	64,961	66,218	67,475
G2	61,023	62,331	63,639	64,946	66,253	67,561	68,869	70,176
G3	--	--	--	--	--	--	--	--
G4	73,815	75,396	76,978	78,560	80,141	81,723	83,304	84,886
G5	76,766	78,409	80,055	81,700	83,344	84,989	86,633	88,278
G6	82,672	84,443	86,217	87,987	89,760	91,532	93,303	95,076

STEP	9	10	11	12	13	14	15
G1	68,732	69,989	71,245	72,502	73,759	75,016	76,281
G2	71,484	72,791	74,098	75,407	76,714	78,021	79,329
G3	--	--	--	--	--	--	--
G4	86,468	88,049	89,631	91,212	92,795	94,377	95,960
G5	89,923	91,568	93,221	94,857	96,501	98,146	99,795
G6	96,848	98,621	100,392	102,165	103,937	105,709	107,472

G-2 – Dir of Human Resources/Asst Exec Secretary
G-2 – Highway Director
G-2 – Water Superintendent
G-2 – Library Director
G-2 – Director of Parks and Recreation

G-4 – Fire Chief
G-4 – Finance Director
G-6 – Police Chief

GROUP: NON UNION – ADMINISTRATIVE AND PROFESSIONAL
Effective: July 1, 2005 (3.5% Adjustment)

STEP	1	2	3	4	5	6	7	8
G1	60,730	62,032	63,332	64,634	65,934	67,234	68,536	69,837
G2	63,158	64,513	65,866	67,220	68,572	69,925	71,280	72,632
G3	--	--	--	--	--	--	--	--
G4	76,399	78,035	79,673	81,310	82,946	84,584	86,220	87,857
G5	79,453	81,154	82,857	84,559	86,261	87,964	89,665	91,368
G6	85,566	87,398	89,234	91,067	92,902	94,735	96,569	98,404

STEP	9	10	11	12	13	14	15
G1	71,137	72,439	73,739	75,039	76,341	77,641	78,951
G2	73,986	75,339	76,691	78,046	79,399	80,752	82,106
G3	--	--	--	--	--	--	--
G4	89,495	91,131	92,769	94,405	96,042	97,680	99,318
G5	93,071	94,773	96,484	98,177	99,879	101,582	103,288
G6	100,238	102,072	103,906	105,741	107,575	109,409	111,234

G-2 – Dir of Human Resources/Asst Exec Secretary
G-2 – Highway Director
G-2 – Water Superintendent
G-2 – Library Director
G-2 – Director of Parks and Recreation

G-4 – Fire Chief
G-4 – Finance Director
G-6 – Police Chief

GROUP: NON-UNION – NON ADMINISTRATIVE AND PROFESSIONAL
Effective: January 1, 2005 (2% Adjustment)

STEP	1	2	3	4	5	6	7	8
SG-2	32,192	32,804	33,427	34,062	34,710	35,369	36,041	36,726
SG-3	34,768	35,513	36,258	37,002	37,748	38,494	39,239	39,983
SG-4	37,549	38,354	39,158	39,963	40,767	41,572	42,376	43,181

STEP	9	10	11	12	13	14	15
SG-2	37,424	38,135	38,859	39,597	40,350	41,116	41,898
SG-3	40,728	41,472	42,217	42,963	43,708	44,455	45,198
SG-4	43,985	44,789	45,594	46,399	47,203	48,007	48,813

SG-2 – Computer Technician SG-3 – Outreach Coordinator (PT) SG-4 – Exec. Assistant to Exec Secretary

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GROUP: NON-UNION – NON ADMINISTRATIVE AND PROFESSIONAL
Effective: July 1, 2005 (3.5% Adjustment)

STEP	1	2	3	4	5	6	7	8
SG-2	33,319	33,952	34,597	35,254	35,924	36,606	37,302	38,012
SG-3	35,985	36,756	37,527	38,297	39,069	39,841	40,613	41,382
SG-4	38,863	39,696	40,528	41,361	42,194	43,027	43,859	44,692

STEP	9	10	11	12	13	14	15
SG-2	38,734	39,469	40,219	40,983	41,762	42,555	43,364
SG-3	42,153	42,924	43,694	44,467	45,238	46,011	46,780
SG-4	45,525	46,357	47,190	48,023	48,855	49,688	50,522

SG-2 – Computer Technician SG-3 – Outreach Coordinator (PT) SG-4 – Exec. Assistant to Exec Secretary

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GROUP: NON-UNION – SCHOOL NURSES Effective: January 1, 2005 (2% Adjustment)

Head Nurse	32.13
Community Health Nurse	29.25
Substitute Nurse	23.46

GROUP: NON-UNION – SCHOOL NURSES Effective: July 1, 2005 (3.5% Adjustment)

Head Nurse	33.25
Community Health Nurse	30.27
Substitute Nurse	24.28

GROUP: NON-UNION - POLICE
Effective: January 1, 2005 (2% Adjustment)

STEP	MINIMUM	1	2	3
P-4	60,528	63,553	66,731	70,067

GROUP: NON-UNION - POLICE
Effective: July 1, 2005 (3.5% Adjustment)

STEP	MINIMUM	1	2	3
P-4	62,646	65,777	69,067	72,519

P-4 – Lieutenant

GROUP: NON-UNION – OFFICE STAFF
Effective: January 1, 2005 (2% Adjustment)

STEP	Minimum	1	2	3
S-9	27,998	29,179	30,346	31,513
S-10	29,179	30,339	31,612	32,826
S-12	31,661	32,981	34,301	35,618
S-13	32,908	34,279	35,649	37,022
S-14	34,221	35,646	37,072	38,499
S-15	35,552	37,033	38,515	39,996
S-16	36,996	38,539	40,081	41,621
S-17	38,462	40,064	41,666	43,270
S-18	40,045	41,712	43,381	45,050

GROUP: NON-UNION – OFFICE STAFF
Effective: July 1, 2005 (3.5% Adjustment)

STEP	Minimum	1	2	3
S-9	28,978	30,200	31,408	32,616
S-10	30,200	31,401	32,718	33,975
S-12	32,769	34,135	35,501	36,865
S-13	34,060	35,479	36,897	38,318
S-14	35,419	36,894	38,369	39,846
S-15	36,796	38,329	39,863	41,396
S-16	38,291	39,888	41,484	43,078
S-17	39,808	41,466	43,124	44,785
S-18	41,447	43,172	44,899	46,627

S-12 Sr. Clerk, Health (PT)
S-12 Sr. Clerk, Landfill (PT)
S-13 Secretary, Fire Department (PT)
S-15 Administrative Asst, Youth & Family Services (PT)
S-15 Recreation Program Asst. (PT)
S-16 Human Resources Assistant
S-16 Administrative Assistant, Police

GROUP: NON-UNION – BUILDING INSPECTORS
Effective: January 1, 2005 (2% Adjustment)

STEP	Minimum	1	2	3	4
	18.91	19.85	20.84	21.89	22.98

GROUP: NON-UNION – BUILDING INSPECTORS
Effective: July 1, 2005 (3.5% Adjustment)

STEP	Minimum	1	2	3	4
	19.57	20.55	21.57	22.66	23.79

Gas & Plumbing Inspector (PT)
Wiring Inspector (PT)

GROUP: PUBLIC SAFETY
Effective: January 1, 2005 (2% Adjustment)

	Annually	Per Day	Hourly
Traffic Supervisor	6,619	--	--
Traffic Supervisor Substitute		37.94	
Special Police Matrons			16.87
Call Firefighters			16.87
Call Firefighter Coordinator			17.99
Police Custodian (PT)			13.45
Police Intern			8.72

GROUP: PUBLIC SAFETY
Effective: July 1, 2005 (3.5% Adjustment)

	Annually	Per Day	Hourly
Traffic Supervisor	6,851	--	--
Traffic Supervisor Substitute		39.27	
Special Police Matrons			17.46
Call Firefighters			17.46
Call Firefighter Coordinator			18.62
Police Custodian (PT)			13.92
Police Intern			9.03

GROUP: NON-UNION – ON CALL DISPATCHERS
Effective: January 1, 2005 (2% Adjustment)

	Year 1	Year 2	Year 3	Year 4
On call Dispatcher	15.92	16.66	17.39	18.13

GROUP: NON-UNION – ON CALL DISPATCHERS
Effective: July 1, 2005 (3.5% Adjustment)

	Year 1	Year 2	Year 3	Year 4
On call Dispatcher	16.48	17.24	18.00	18.76

GROUP: NON-UNION – SEPTAGE
Effective: January 1, 2005 (2% Adjustment)

	Minimum	1	2	3
Wastewater Facility Monitor (PT)	12.62	13.27	13.94	14.62

GROUP: NON-UNION – SEPTAGE
Effective: July 1, 2005 (3.5% Adjustment)

	Minimum	1	2	3
Wastewater Facility Monitor (PT)	13.06	13.73	14.43	15.13

GROUP: NON-UNION – TOWN POOL
Effective: January 1, 2005 (2% Adjustment)

	Year 1 0-360 Hrs	Year 2 361-721 Hrs	Year 3 721-1080 Hrs	Year 4 1081 + Hrs
Pool Head Lifeguard	15.35	15.82	16.29	16.77
Pool Secretary	10.57	10.92	11.27	11.63
Senior Lifeguard	10.63	10.98	11.33	11.68
Swim Instructor	9.00	--	--	--
Front Desk Clerk-Pool	8.56	8.85	9.15	9.45
Junior Guard	9.45			

GROUP: NON-UNION – TOWN POOL
Effective: July 1, 2005 (3.5% Adjustment)

	Year 1 0-360 Hrs	Year 2 361-721 Hrs	Year 3 721-1080 Hrs	Year 4 1081 + Hrs
Pool Head Lifeguard	15.88	16.37	16.86	17.36
Pool Secretary	10.94	11.30	11.66	12.04
Senior Lifeguard	11.00	11.36	11.73	12.09
Swim Instructor	9.32	--	--	--
Front Desk Clerk-Pool	8.86	9.16	9.47	9.78
Junior Guard	9.78			

GROUP: NON-UNION – HOURLY LIBRARY CLERKS
Effective: January 1, 2005 (2% Adjustment)

STEP	1	2	3	4	5	6	7	8
	12.76	13.05	13.34	13.62	13.87	14.16	14.43	14.70
STEP	**9**	**10**	**11**	**12**	**13**	**14**	**15**	
	14.99	15.27	15.53	15.81	16.11	16.37	16.65	

GROUP: NON-UNION – HOURLY LIBRARY CLERKS
Effective: July 1, 2005 (3.5% Adjustment)

STEP	1	2	3	4	5	6	7	8
	13.21	13.51	13.81	14.10	14.36	14.66	14.94	15.21
STEP	**9**	**10**	**11**	**12**	**13**	**14**	**15**	
	15.51	15.80	16.07	16.36	16.67	16.94	17.23	

GROUP: NON-UNION – HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS
Effective: January 1, 2005 (2% Adjustment)

STEP	1	2	3	4	5	6
	20.09	20.46	20.83	21.19	21.56	21.92
STEP	**7**	**8**	**9**	**10**	**11**	**12**
	22.30	22.65	23.03	23.39	23.76	24.12

GROUP: NON-UNION – HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS
Effective: July 1, 2005 (3.5% Adjustment)

STEP	1	2	3	4	5	6
	20.79	21.18	21.56	21.93	22.31	22.69
STEP	**7**	**8**	**9**	**10**	**11**	**12**
	23.08	23.44	23.84	24.21	24.59	24.96

GROUP: NON-UNION – LIBRARY PAGES
Effective: January 1, 2005 (2% Adjustment)

STEP	Year 1	Year 2	Year 3
	7.56	8.03	8.47

GROUP: NON-UNION – LIBRARY PAGES
Effective: July 1, 2005 (3.5% Adjustment)

STEP	Year 1	Year 2	Year 3
	7.82	8.31	8.76

GROUP: NON-UNION – VETERANS' AGENT
Effective: January 1, 2005 (2% Adjustment)

	Annual
Veterans' Agent	3,368

GROUP: NON-UNION – VETERANS' AGENT
Effective: July 1, 2005 (3.5% 7/1/05 Adjustment)

	Annual
Veterans' Agent	3,486

GROUP: NON-UNION – SEASONAL – SUMMER PLAYGROUND
Effective: May 1, 2005 (2% Adjustment)

	Year 1	Year 2	Year 3	Year 4
Day Program Coordinator	19.11	19.69	20.28	20.89
SA Program Director	16.87	17.38	17.88	18.42
SA Assistant Director	14.06	14.48	14.91	15.36
Lead Teacher	14.06	14.48	14.91	15.36
Assistant Teacher	12.37	12.74	13.12	13.52
SA Sr. Counselor	11.24	11.59	11.93	12.29
Counselor	10.12	10.42	10.73	11.06
Junior Counselor	7.87	8.11	8.36	8.60

SA – Summer Adventure Program

GROUP: NON-UNION SEASONAL – MISCELLANEOUS
Effective: May 1, 2005 (2% Adjustment)

	Year 1	Year 2	Year 3	Year 4
Conservation Laborer	10.63	11.39	12.16	12.84
Landfill Clerk	12.14		(6 week position)	
Park & Recreation Laborer	12.01	12.61	13.21	–

GROUP: NON-UNION – SEASONAL – MISCELLANEOUS
Effective: May 1, 2005 (2% Adjustment)

	Year 1	Year 2	Year 3	Year 4
Beach Director	16.53	17.00	17.47	17.94
Snack Bar Supervisor	10.62	10.94	11.28	11.62
Snack Bar I	9.45	9.74	10.02	10.32
Snack Bar II	8.49	8.74	9.01	9.27
	0-360 Hrs	361-721 Hrs	721-1080 Hrs	1081 + Hrs
Beach Head Lifeguard	11.10	11.43	11.77	12.13
Beach Supervisor	12.75	13.14	13.61	14.01
Senior Lifeguard	10.63	10.98	11.33	11.68
Jr Lifeguard/Swim Aide I/Gateguard	9.45	9.74	--	--
Swim Aide II	8.03	8.26	--	--
Water Safety Instructor	11.10	11.43	11.77	12.13

GROUP: LIBRARY
Effective: January 1, 2005 (2% Adjustment)

Step	1	2	3	4	5
L-1	29,808	30,702	31,623	32,572	33,549
L-2	32,191	33,157	34,152	35,176	36,231
L-3	34,769	35,812	36,886	37,992	39,132
L-4	37,549	38,676	39,836	41,031	42,262
L-5	40,552	41,769	43,022	44,313	45,642
L-6	43,797	45,111	46,464	47,858	49,294
L-7	47,301	48,720	50,182	51,687	53,238
Custodian	28,558	29,620	30,678	31,799	32,970

Step	6	7	8	9	10
L-1	34,556	35,592	36,660	37,760	38,893
L-2	37,318	38,438	39,591	40,779	42,002
L-3	40,306	41,515	42,761	44,044	45,365
L-4	43,530	44,836	46,181	47,566	48,993
L-5	47,011	48,422	49,874	51,371	52,912
L-6	50,772	52,296	53,864	55,480	57,145
L-7	54,835	56,480	58,174	59,920	61,717
Custodian	34,502				

L-1 - Library Assistant - Circulation
L-1 - Library Assistant - Childrens
L-2 - Library Associate - Periodicals
L-3 - Assistant Children's Librarian
L-3 - Bibliographic Services Librarian
L-4 - Library Administrative Assistant
L-4 - Computer Specialist/Reference Librarian
L-4 - Head of Circulation
L-4 - Reference Librarian
L-5 - Children's Librarian
L-7 - Assistant Director
Custodian

GROUP: LIBRARY
Effective: July 1, 2005 (3.5% Adjustment)

Step	1	2	3	4	5
L-1	30,851	31,777	32,730	33,712	34,723
L-2	33,318	34,317	35,347	36,407	37,500
L-3	35,985	37,065	38,177	39,322	40,502
L-4	38,863	40,029	41,230	42,467	43,741
L-5	41,972	43,231	44,528	45,864	47,240
L-6	45,330	46,689	48,090	49,533	51,019
L-7	48,957	50,425	51,938	53,496	55,101
Custodian	29,557	30,657	31,752	32,912	34,124

Step	6	7	8	9	10
L-1	35,765	36,838	37,943	39,082	40,254
L-2	38,625	39,783	40,977	42,206	43,472
L-3	41,717	42,968	44,258	45,585	46,953
L-4	45,053	46,405	47,797	49,231	50,708
L-5	48,657	50,117	51,620	53,169	54,764
L-6	52,549	54,126	55,750	57,422	59,145
L-7	56,754	58,457	60,210	62,017	63,877
Custodian	35,710				

L-1 - Library Assistant - Circulation
L-1 - Library Assistant - Childrens
L-2 - Library Associate - Periodicals
L-3 - Assistant Children's Librarian
L-3 - Bibliographic Services Librarian
L-4 - Library Administrative Assistant
L-4 - Computer Specialist/Ref Librarian
L-4 - Head of Circulation
L-4 - Reference Librarian
L-5 - Children's Librarian
L-7 - Assistant Director
Custodian

GROUP: FIRE
Effective: July 1, 2003 (Currently in Contract Negotiations)

Step	Start	After 1 Yr	After 2 Yrs	After 3 Yrs
F-1E	42,054	43,448	44,891	46,385
F-2E	44,892	46,350	48,711	49,434
F-3E	46,286	47,690	49,424	51,087
F-4E	48,788	50,321	51,991	53,726
F-5	48,724	50,409	52,169	53,996
F-5E	50,514	52,199	53,959	55,785
F-6E	--	--	--	61,726

F-1E - Firefighter/EMT
F-2E - Prevention Inspector/EMT
F-3E - Lieutenant/EMT
F-4E - Elec/Mech/EMT
F-5 - Captain/Non-EMT
F-5E - Captain/EMT
F-6E - Deputy/EMT

GROUP: AFSCME
Effective: July 1, 2003 (Currently in Contract Negotiations)

Step	1	2	3	4	5
G-1	29,224	30,101	31,004	31,934	32,892
G-2	31,560	32,507	33,483	34,487	35,522
G-3	34,087	35,109	36,162	37,247	38,365
G-4	36,813	37,918	39,055	40,227	41,434
G-5	39,757	40,950	42,178	43,444	44,747
G-6	42,939	44,228	45,554	46,921	48,329
G-7	46,939	48,347	49,798	51,292	52,830
G-8	51,166	52,701	54,282	55,910	57,587
G-9	55,770	57,444	59,167	60,942	62,770
G-10	60,791	62,614	64,493	66,427	68,420

Step	**6**	**7**	**8**	**9**	**10**
G-1	33,879	34,895	35,942	37,020	38,139
G-2	36,587	37,685	38,815	39,980	41,189
G-3	39,516	40,701	41,922	43,180	44,485
G-4	42,677	43,957	45,276	46,634	48,044
G-5	46,089	47,472	48,896	50,363	51,885
G-6	49,779	51,272	52,810	54,394	56,038
G-7	54,415	56,048	57,729	59,461	61,258
G-8	59,315	61,095	62,927	64,815	66,775
G-9	64,653	66,593	68,591	70,648	72,784
G-10	70,473	72,587	74,765	77,008	79,335

G-3 - Administrative Assessor
G-4 - Local Building Inspector
G-5 - Assistant Youth Director
G-5 - Sanitarian/Health Agent
G-6 - Pool Director
G-6 - Recreation Program Admin
G-6 - Solid Waste Facility Supt
G-6 - Wastewater Facility Supt
G-7 - Assistant Assessor
G-7 - Conservation Administrator
G-7 - Council on Aging Director
G-7 - GIS Analyst
G-8 - Building Commissioner
G-8 - Data Processing Manager
G-8 - Director of Youth and Family Svs
G-8 - Town Planner
G-8 - Town Surveyor
G-9 - Director of Health
G-9 - Treasurer/Collector

GROUP: SEIU Effective: July 1, 2003 (Currently in Contract Negotiations)

Step	1	2	3	4	5
C-10	25,286	26,044	26,826	27,630	28,459
C-12	27,309	28,128	28,972	29,841	30,736
C-13	28,410	29,262	30,140	31,044	31,976
C-14	29,554	30,441	31,354	32,295	33,263
C-15	30,695	31,615	32,564	33,541	34,547
CD	30,434	31,840	33,246	34,651	36,057
Step	**6**	**7**	**8**	**9**	**10**
C-10	29,313	30,192	31,098	32,031	32,992
C-12	31,658	32,608	33,586	34,594	35,632
C-13	32,935	33,923	34,941	35,989	37,069
C-14	34,261	35,289	36,348	37,438	38,562
C-15	35,583	36,651	37,751	38,883	40,050
CD	37,463	38,869	–	–	–

C-12 - Sr Clerk
C-13 - Principal Clerk
C-14 - Administrative Assistant
C-14 - Town Clerk, Assistant
C-14 - Treasurer/Collector, Assistant
C-15 - Accounting Supervisor
C-15 - Finance Asst/Benefits Coordinator
C-15 - Payroll Supervisor
CD - JCC Dispatcher

GROUP: POLICE
Effective: July 1, 2003 (Currently in Contract Negotiations)

Step	Minimum	After 1 Yr	After 2 Yrs	After 3 Yrs
P-1	40,181	42,190	44,299	46,514
P-2	48,840	51,282	53,846	56,538

P-1 - Patrolman
P-2 - Sergeant

GROUP: TEAMSTERS - WATER
Effective: July 1, 2003(Currently in Contract Negotiations)

Step	Minimum	1	2	3
Watercraftsman I	34,563	36,031	37,284	38,675
Watercraftsman II	40,051	41,366	43,083	44,673
Working Foreman	44,019	46,114	48,072	50,029
Water Foreman	46,127	48,333	50,539	52,749

GROUP: TEAMSTERS - HIGHWAY
Effective: July 1, 2003 (Currently in Contract Negotiations)

Step	Minimum	1	2	3
H-5	16.34	16.82	17.39	17.90
H-6	16.82	17.39	17.90	18.57
H-7	17.39	17.90	18.57	19.11
H-8	17.90	18.57	19.11	19.79
H-9	18.57	19.11	19.79	20.45
H-10	19.11	19.79	20.45	21.12
H-11	19.79	20.45	21.12	21.85

H-6 - Medium Equipment Operator
H-7 - Heavy Equipment Operator
H-8 - Grader Operator
H-8 - Special Equipment Operator
H-10 - Working Foreman
H-10 - Mechanic/Welder
H-11 - Assistant Chief Operator
H-11 - Master Mechanic/Fleet Maintenance
H-11 - Mechanic/Operator
H-11 – General Foreman

GROUP: TEAMSTERS - PARK & RECREATION
Effective: July 1, 2003 (Currently in Contract Negotiations)

Step	Minimum	1	2	3
P&R-1	15.24	15.71	16.20	16.78
P&R-2	15.71	16.20	16.78	17.33
P&R-3	17.33	17.83	18.49	19.08
P&R-4	18.49	19.08	19.85	20.38
P&R-6	19.85	20.38	21.08	21.79
P&R-7	21.21	21.91	22.60	23.30

P&R-1 - Groundskeeper I
P&R-2 - Groundskeeper II
P&R-3 - Groundskeeper III
P&R-4 - Working Foreman
P&R-6 - Master Mechanic
P&R-7 - General Foreman

APPENDIX D
NON-UNION WAGE SCALE, N SCHEDULE

NON-UNION WAGE SCALE, N SCHEDULE
Effecitve 7/1/05 (Includes adjustments of 2% effective 1/1/05 and 3.5% effective 7/1/05)

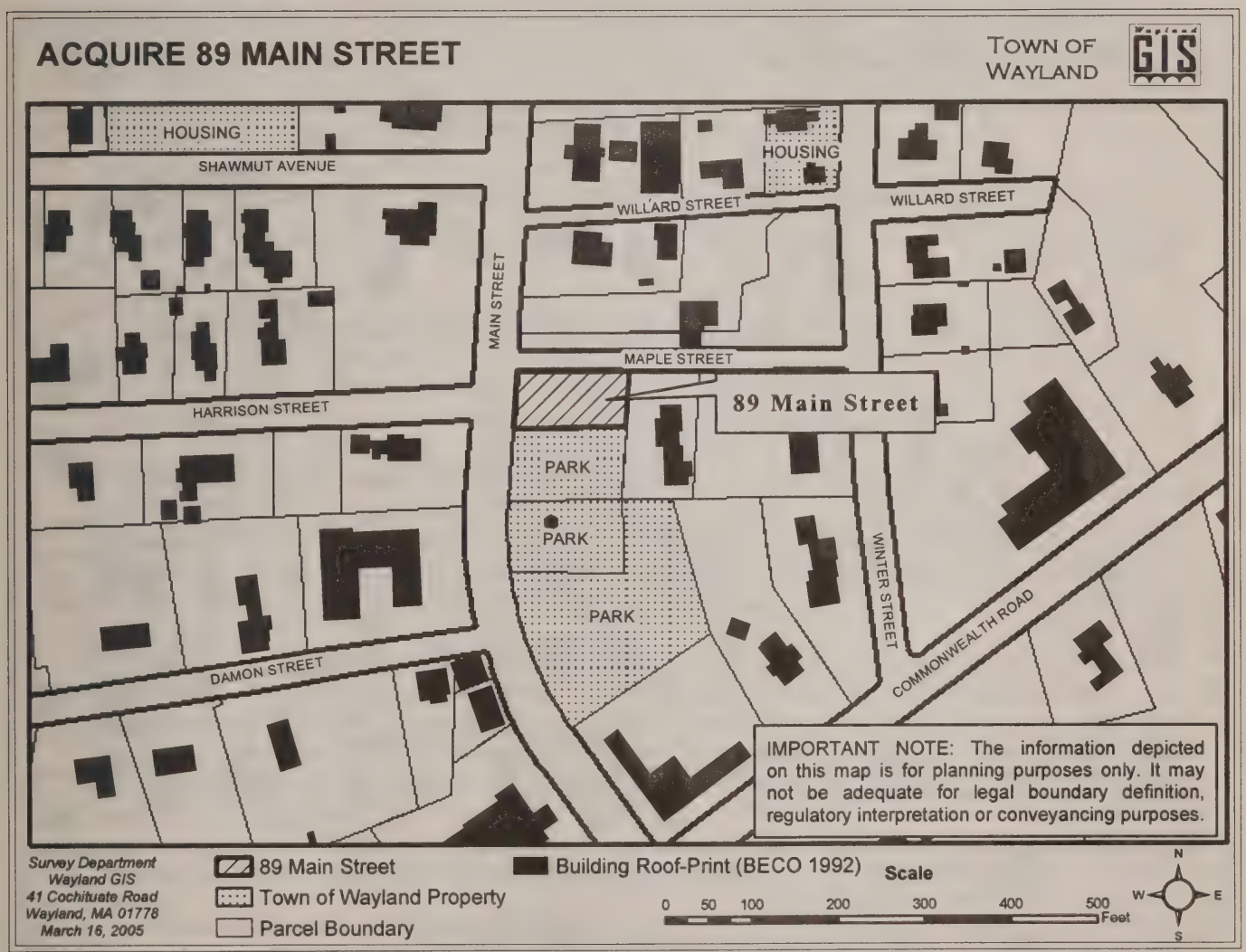
Grade	1	2	3	4	5
N-1	30,345	31,256	32,194	33,160	34,154
N-2	33,019	34,010	35,030	36,082	37,164
N-3	35,930	37,008	38,118	39,261	40,440
N-4	39,450	40,634	41,853	43,108	44,402
N-5	43,317	44,616	45,955	47,333	48,753
N-6	47,562	48,989	50,458	51,972	53,531
N-7	52,223	53,790	55,403	57,066	58,777
N-8	56,150	57,606	59,113	60,778	62,602
N-9	62,961	64,850	66,795	68,799	71,280
N-10	69,130	71,205	73,341	75,541	77,807
N-11	75,905	78,182	80,528	82,944	85,433
N-12	83,344	85,844	88,420	91,072	93,804

Grade	6	7	8	9	10
N-1	35,178	36,234	37,321	38,440	39,594
N-2	38,279	39,427	40,610	41,828	43,083
N-3	41,653	42,510	44,189	45,514	46,880
N-4	45,734	46,857	48,520	49,975	51,474
N-5	49,710	51,723	53,275	54,872	56,519
N-6	55,137	56,791	58,495	60,250	62,057
N-7	60,541	62,357	64,228	66,154	68,139
N-8	64,480	66,414	68,406	70,437	72,519
N-9	72,632	75,179	78,046	79,399	82,149
N-10	80,141	82,545	85,022	87,572	90,200
N-11	87,995	90,635	94,405	96,154	99,318
N-12	96,619	99,517	102,072	105,577	108,746

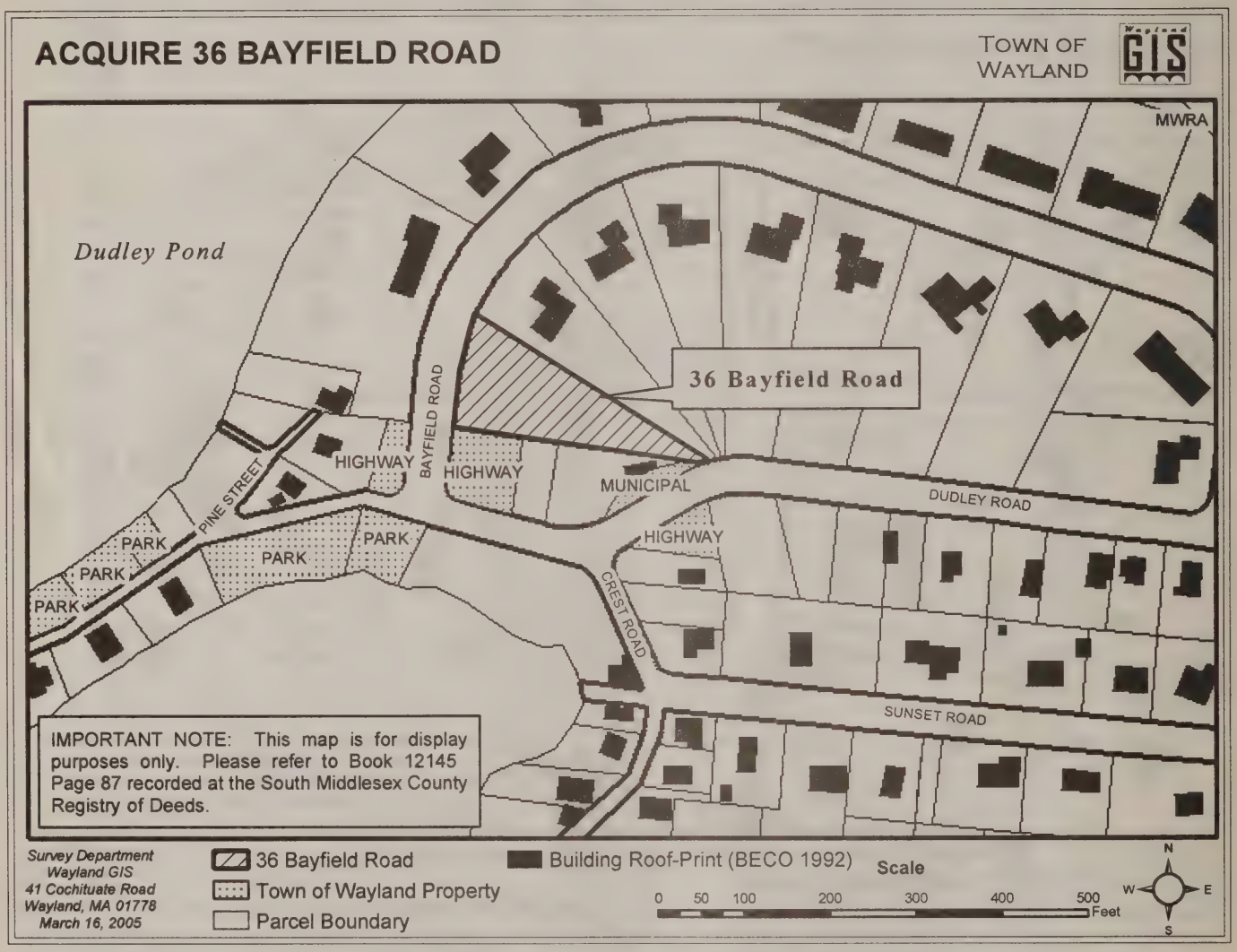
N-1	Secretary, Fire – PT	N-5	Head Nurse
N-1	Sr Clerk, Health – PT		
N-1	Sr Clerk, Landfill – PT	N-8	Police Lieutenant
N-2	Administrative Asst – Y/S PT	N-9	Highway Director
N-2	Administrative Asst – Police	N-9	Human Resources Director/Asst Exec Secy*
N-2	Computer Technician	N-9	Library Director
N-2	Human Resources Assistant	N-9	Park & Recreation Director
N-2	Outreach Coordinator – PT	N-9	Water Superintendent
N-2	Recreation Program Asst – PT		
		N-11	Finance Director/Town Accountant
N-3	Community Health Nurse	N-11	Fire Chief
N-4	Exec Asst to Exec Secretary*	N-12	Police Chief

* Note: Titles will change to reflect Town Administrator when the Town Administrator position is filled.

APPENDIX E
SPECIAL TOWN MEETING ARTICLE 10
ACQUIRE 89 MAIN STREET



APPENDIX F
SPECIAL TOWN MEETING ARTICLE 11
ACQUIRE 36 BAYFIELD ROAD



APPENDIX G

PLANNING BOARD REPORTS FOR 2005 ANNUAL TOWN MEETING

WARRANT ARTICLES

The Planning Board, according to Massachusetts General Laws Chapter 40A Section 5, is required to submit to Town Meeting a report on all proposed Zoning Amendments. The following information pertains to the Board's report on ATM Articles 26, 27, 28, 29, and 31. This report also contains copies of the existing Zoning Bylaw Articles, which are included as attachments to this document.

For any questions or information, contact the Planning Department at 508-358-3615.

Planning Board Report on Annual Town Meeting Warrant Article 26

An article to amend Chapter 198, Section 702.1 of the Zoning Code of the Town of Wayland.

The Planning Board held its public hearing as required by law on February 8, 2005.

The purpose of the article is to determine whether the Town will vote to amend Chapter 198, Sections 702.1 of the Zoning Code of the Town of Wayland by adding language back to the Zoning Bylaw which was mistakenly deleted at the 2004 Annual Town Meeting.

The attending public at the hearing held on February 8, 2005 raised questions of how language was mistakenly deleted from the Zoning Bylaw. The Board explained that there was an error on the drafting of the warrant article that omitted a sentence segment for Section 702.1. The Board said that even though the omission was unintentional, that Town Counsel deemed that the bylaw was amended to reflect the omission and that the only way to correct the error is by a vote of Town Meeting to reintroduce the language.

The Planning Board recommends passage of the article.

See Attachment #1 for existing bylaw language.

Planning Board Report on Annual Town Meeting Warrant Article 27

An article to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by making deletions and insertions to Section 1803.1.2.

The Planning Board held its public hearing as required by law on February 8, 2005.

This article proposes to reduce the required area for the development of a Conservation Cluster from 10 acres to 5 acres.

The Conservation Cluster, last amended in 1983, is an important planning tool which is unfortunately rarely used. Few proposals come before the Planning Board which meet the 10 acre requirement; many more are in the 5-8 acre range. This amendment would make clusters viable in many more cases.

As the name implies, a cluster is a development whose buildings are more closely arranged than normally permitted in the zoning district in which they are proposed. They do not result in an increase in density, since no more units than are permitted by normal zoning may be constructed – they may simply be clustered together in one portion of the lot.

Clusters are attractive because they encourage the retention of open space, reduce the size of roads and paved areas, and lessen the need for clear-cutting wooded areas. Because of these benefits, the Planning Board hopes to encourage more developers to consider their use in place of the standard subdivision.

The attending public at the hearing held on February 8, 2005 raised questions of clarification. No other comments were received.

The Planning Board unanimously recommends passage of the article.

See Attachment #2 for existing bylaw language.

Planning Board Report on Annual Town Meeting Warrant Article 28

An article to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by amending §198-506.8.2 of the Zoning Bylaw.

The Planning Board held its public hearing as required by law on February 8, 2005.

The article proposes to add a definition for "parking area" to §198-506.8.2 of the Zoning Bylaw.

The 2004 Annual Town Meeting approved amendments to the Zoning Bylaw regarding parking provisions for non-residential uses. The 2004 article required that an area equivalent to ten percent (10%) of the total parking area be used for landscaping within the parking area. The purpose of this amendment was to require landscaping within the parking area to break up large areas of pavement and to improve the aesthetics of the parking area. The inclusion of a definition, as proposed in this article, will clarify the Planning Board's original intent of the provision by clarifying the amount of landscaping that is required within a parking lot.

At the public hearing held on February 8, 2005 there was discussion if the definition is in the best interest of the town. The Planning Board believes that this amendment will result in a clearer calculation for landscaped areas by tying the amount of landscaping to the number of parking spaces within a parking lot rather than to the total area of the parking lot, as the bylaw currently reads.

The Planning Board voted unanimously to support the article.

See Attachment #3 for existing bylaw language.

Planning Board Report on Annual Town Meeting Warrant Article 29

An article to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by making deletions and insertions to Sections 1803.1.3, 1803.1.7, 1803.1.10, 1803.1.11, 1803.1.12, and to the Table of Permitted Uses.

The Planning Board held its public hearing as required by law on February 8, 2005.

This article proposes to permit attached housing in the Conservation Cluster District. Such housing would be limited to no more than four dwelling units per building.

The purposes of this proposal are (a) to encourage a greater variety of housing within the town and (b) to encourage more open space and limit disturbance of natural areas, above what a standard Conservation Cluster can attain.

The increase in the average size of single-family dwellings causes us to reexamine the town's housing needs. There is still a need for units of smaller size, and to encourage constructing them, attached housing permits their mixed use in an architecturally harmonious manner.

In addition, greater advantages in open space may be obtained. When considered along with the companion article, A, which reduces the minimum required area to 5 acres, even smaller parcels can retain much of their natural state with no loss of unit density to the developer. We thus also propose, in this article, to increase the required open space from 35% to 50%, if the attached housing alternative is pursued by a developer.

The Planning Board's goal, by these articles, is to produce alternatives to the standard subdivision which are attractive to both the developer, and to the town's open space and conservation goals, in all parts of the town.

The attending public at the hearing held on February 8, 2005 raised questions of clarification. No other comments were received.

The Planning Board voted unanimously to support the article.

See Attachment #2 for existing bylaw language.

Planning Board Report on Annual Town Meeting Warrant Article 31

An article to amend Chapter 198 of the Code of the Town of Wayland, the Zoning By-Laws, by deleting Section 302.1.2 and 1703 Watershed Protection District and to make the corresponding amendments to Section 302.

The Planning Board held its public hearing as required by law on February 8, 2005.

The article proposes to delete the Watershed Protection District from the Zoning By-Law, which is delineated in Article 3 Overlay District at Section 302.1.2 and found within Article 17 under Section 1703.

The Watershed Protection District by-law was first introduced in 1962 to protect Wayland's water resources. At the time, the article was innovative and was a precursor to the adoption of many federal, state, and local environmental laws and regulations, which now provide more extensive protection of natural resources. The by-law is now often in conflict with current federal, state, and local environmental rules and regulations and does not provide the level of protection originally intended. Furthermore, the original map for the district has not been updated since it was drafted in 1966 and does not accurately delineate water bodies such as streams, ponds, and wetlands, which have evolved over the past 38 years.

The Article also proposes renumbering sections of the Zoning Code to reflect the deletion of Section 302.1.2 Watershed Protection District.

The attending public at the hearing held on February 8, 2005 raised questions of why the article was not approved by the Attorney General. The Board explained that the denial of the article was based on a procedural error rather than the language of the article.

The Planning Board voted unanimously to support the article.

See Attachment #4 for existing bylaw language.

ATTACHMENT #1
EXCERPTS FROM THE ZONING BYLAW
FOR ARTICLE 26

§ 198-702. Setbacks.

702.1. All buildings or structures in any residence district shall comply with the setbacks in § 198-801 Table of Dimensional Requirements. The setbacks shall apply to any public or private street right-of-way whether accepted or not. The setbacks shall apply to whichever distance is greater, except as provided in § 198-702.2 and 702.3 below; except that any existing lot shown on a plan or described in a deed, recorded in the Registry of Deeds, that conformed or was considered to conform to the area and frontage requirements on, but not after, January 28, 1998, shall be considered to conform to this Zoning Bylaw; and any existing structure that was in compliance with regulations respecting location on, but not after, January 28, 1998, shall be considered to be in compliance with this Zoning Bylaw. Exempt from the setback requirement of this paragraph are roof eaves, stoops, stairs, bulkheads, chimneys and bay windows; and fences and walls up to six feet in height from the existing natural topography. [Amended 5-14-1998 ATM by Art. 51; 5-5-1999 STM by Art. 9; 5-5-1999 STM by Art. 11; 5-6-2004 ATM by Art. 21]

ATTACHMENT #2
EXCERPTS FROM THE ZONING BYLAW
FOR ARTICLE 27 AND 29

§ 198-1803. Public hearing; general requirements.

1803.1. After notice and public hearing in accordance with law, which public hearing shall be held within 65 days after the filing of the application with the Planning Board, the Planning Board may,

after due consideration of the reports and recommendations of the Conservation Commission and the Board of Health, grant such a special permit, provided that:

1803.1.1. It finds that the proposed plan is in harmony with the purposes and intent of this Zoning Bylaw and this article.

1803.1.2. The area of the tract of land is not less than 10 acres.

1803.1.3. The number of lots on which there is to be a single dwelling unit does not exceed the larger of the following:

1803.1.3.1. The number of building lots that could be created in the tract shown on such plan without a special permit hereunder, plus one lot for each 10 of such building lots that could otherwise be created; or

1803.1.3.2. The number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land situated within the floodplain or designated as wetlands by the Conservation Commission, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.

1803.1.4. Each of the building lots shown on the plan has adequate frontage, but no less than 50 feet, on a public or private way.

1803.1.5. Each of the building lots shown on the plan is of a size and shape as shall provide a building site that shall be in harmony with the natural terrain and other features of the tract, but no such lot shall have an area of less than 20,000 square feet as shown on the plan.

1803.1.6. The front, side and rear yards of each lot shall be shown on the plan by dashed lines indicating the area within which a building may be built, provided that all dwellings and accessory buildings shall be set back at least 15 feet from the perimeter of the tract and 15 feet from any open land.

1803.1.7. At least 35% of the land area of the tract, exclusive of land set aside for road area, shall be open land, and the open land shall include all land not dedicated to roads or building lots. For the purpose of this article, "open land" is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private, to be used for open space, conservation, agriculture, outdoor recreation, park purposes or some combination of the foregoing.

1803.1.8. Conveyance of open land.

1803.1.8.1. Open land shall be conveyed either:

1803.1.8.1.1. To the Town, which shall accept it for park or open space use;

1803.1.8.1.2. To the Sudbury Valley Trustees, Inc., and its successors or to another nonprofit conservation organization approved by the Planning Board, the principal purpose of which is the conservation of open space; or

1803.1.8.1.3. To a corporation, trust or association owned, or to be owned, by the owners of lots or residential units within the tract, provided that if such a corporation, trust or

association holds title, ownership thereof shall pass with conveyance of the lots or residential units.

1803.1.8.2. If ownership is in an entity other than the Town, there shall be sufficient rights in the Town to provide that such land shall be kept in an open or natural state, and provision shall be made so that the Town can enforce any other restrictions or easements imposed upon the open land by the Planning Board as conditions of its special permit grant.

1803.1.9. Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit the open land to be used for subsurface waste disposal where the Planning Board finds that such use will not be detrimental to the character or quality of the open land.

1803.1.10. All dwelling units shall be in detached buildings, and there shall not be more than one dwelling unit in a building.

1803.1.11. If the land shown on the plan includes land in two residence zones, all of the land shall, for all purposes of this article, be considered as lying entirely within the zone having the largest area and frontage requirements, except that if 75% or more of the total area shown as building lots lies within one residence zone, all of the land shall be considered as lying within that zone.

1803.1.12. No lot shown on the plan for which a permit is granted under this article may be further subdivided, and a notation to this effect shall be shown on the plan.

ATTACHMENT #3
EXCERPTS FROM THE ZONING BYLAW
FOR ARTICLE 28

506.8. Landscaping in parking areas.

506.8.1. Parking lots immediately adjacent to a residence district shall be adequately screened year-round from view from said residence district by trees, hedges or a tight fence.

506.8.2. Within the interior areas of a parking lot, an area equivalent to 10% of the parking lot area shall be landscaped. [Added 5-5-2004 ATM by Art. 16]

ATTACHMENT #4
EXCERPTS FROM THE ZONING BYLAW
FOR ARTICLE 31

§ 198-302. Overlay districts. [Amended 3-20-1974 ATM by Art. 44; 4-30-1975 ATM by Art. 28]

302.1. To carry out the purposes of this Zoning Bylaw, the Town of Wayland is also divided into the following districts that overlay the districts established by § 198-301 above:

302.1.1. A Floodplain District that includes all land and water in the Town of Wayland subject to seasonal or periodic flooding by the Sudbury River, except for temporary excavations, whose surface lies below elevation 124 feet above mean sea level, as such elevation is shown by the notation "--124--Floodplain" in the Atlas of the Town of Wayland, Massachusetts, prepared and corrected to January 1, 1972, by Everett M. Brooks & Co., corrected to January 1, 1975, by the Wayland Engineering Department.

302.1.2. A Watershed Protection District that is shown, defined and bounded on a map on file with the Town Clerk entitled "Wayland Watershed Protection District," December 15, 1966, MacCarthy Engineering Service, Inc., Natick, Massachusetts, Westborough, Massachusetts.

302.1.3. A Federal Flood Protection District, defined as the one-hundred-year floodplain, Zones A and A1-A30, that is shown, defined and bounded on maps published by the Federal Emergency Management Agency on file with the Town Clerk and entitled "FIRM--Flood Insurance Rate Map, Town of Wayland, Massachusetts, Middlesex County," and "Floodway--Flood Boundary and Floodway Map, Town of Wayland, Massachusetts, Middlesex County," dated June 1, 1982. [Amended 5-4-1982 ATM by Art. 17]

302.1.4. A Southeast Wayland-Cochituate Planning District that includes all land to be placed in said district by a two-thirds vote of Town Meeting, but including only such land with an area not less than 25 acres, a substantial portion of which (herein defined as more than 30%) is wet areas, as defined in § 198-1402 herein, and that is located in the area shown as Residence Zone 30,000 square feet-150 feet Front bordering on the Wayland-Natick town lines on the map entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, Massachusetts, 01778, dated January 29, 2002. [Amended 6-16-1987 STM by Art. 3; 4-30-2001 ATM by Art. 23; 4-29-2002 STM by Art. 5]

302.1.5. An Aquifer Protection District that is shown on a map on file with the Town Clerk entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, Massachusetts, 01778, dated January 29, 2002. The district comprises areas in the Town of Wayland where liquids or water-soluble materials placed on or below the surface of the land will migrate to the Town's municipal wells if pumping is sufficiently heavy and prolonged. For data, standards and procedures by which the boundary of the district was established and for other details, see a report on file with the Town Clerk entitled "Aquifer Mapping Project, Town of Wayland," January 1988, by IEP, Inc., Consulting Environmental Scientists of Northborough, Massachusetts, and also a report on file with the Town Clerk entitled "Report on Conceptual Zone II Study of the Baldwin Pond Wellfield," March 1994, by Anderson-Nichols & Company, Inc., Consulting Engineers, Boston, Massachusetts. [Added 5-1-1989 STM by Art. 7; amended 4-30-2001 ATM by Art. 22; 4-30-2001 ATM by Art. 23; 4-29-2002 STM by Art. 5]

302.1.6. A Senior and Family Housing Overlay District which includes all of the following land: Parcels F and G as shown on a plan entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, Massachusetts, 01778, dated January 29, 2002, and is available at the office of the Town Clerk for public inspection. [Added 4-28-1997 STM by Art. 5; amended 4-30-2001 ATM by Art. 23; 4-29-2002 STM by Art. 5]

302.1.7. A Cochituate Interim Planning Overlay District which includes all of the land located to the south of a line defined as follows: the southerly boundary of the Commonwealth of Massachusetts Pressure Aqueduct, as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 48 and 49, from its easternmost end traversing said boundary westerly to its intersection with the Aquifer Protection District boundary, as shown on the map referenced in §198-302.1.5 herein, southerly and westerly to where it intersects with the center line of the right-of-way of Old Connecticut Path, thence southeasterly along said line to the Wayland town line. Said Plates 48 and 49 of the Atlas of the Town of Wayland, Massachusetts, 1999, are hereby made part of the map entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, Massachusetts, 01778, dated December 11, 2000, and is available at

the office of the Town Clerk for public inspection. [Added 4-30-1997 STM by Art. 7; amended 5-8-2000 ATM by Art. 47; 4-30-2001 ATM by Art. 23]

302.1.8. A Wireless Communications Services District that includes the land owned by the Town of Wayland known as the "old landfill site" as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 22 and 23, Parcels 22-001 and 22-002, and known as the "new landfill site" as shown in the Atlas of the Town of Wayland, Massachusetts, 1996, on Plates 17, 21, and 22 inclusive, that portion of parcel 17-018 that is south of the line that is the continuation of the northwestern property line of parcel 22-004, Parcels 21-010A, 22-003, 22-004, 22-006 and 22-007; and the land comprising the portion of the so-called Massachusetts Bay Transportation Authority (MBTA), "right-of-way" from its boundary with the southerly sideline of Boston Post Road (Route 20) westerly to its westernmost boundary with the Town of Sudbury as shown in the Atlas of the Town of Wayland, Massachusetts, 1999, on Plates 22, 26 and 27, inclusive, and as shown on the plan entitled "Town of Wayland Zoning Overlay Districts," Survey Department, 41 Cochituate Road, Wayland, Massachusetts, 01778, dated January 29, 2002, a copy of which plan is on file in the office of the Town Clerk. [Added 11-17-1999 STM by Art. 3; amended 4-30-2001 ATM by Art. 23; 4-29-2002 STM by Art. 5]

§ 198-1703. Watershed Protection District. [Amended 3-15-1967 ATM by Art. 16; 4-30-1975 ATM by Art. 28]

1703.1. The purpose of this § 198-1703 is to preserve and protect the streams and other watercourses in the Town and their adjoining lands; to protect the health and safety of persons and property against the hazards of flooding; to preserve and maintain the groundwater table for water supply purposes; to protect the community against the detrimental use and development of lands adjoining such watercourses; and to conserve the watershed areas of the Town for the health, safety and welfare of the public. All areas in said Watershed Protection District are, therefore, subject to the regulations in this § 198-1703.

1703.2. Except as provided in this § 198-1703.2 and in § 198-1703.4:

1703.2.1. No building, wall, dam or other structure shall be erected, constructed, altered, enlarged or otherwise created or moved, for any living or other purpose, provided that noncommercial signs not exceeding four square feet in size, tents, fences, wildlife management shelters, footpaths, bicycle paths, horse paths and footbridges are permitted if:

1703.2.1.1. They are accessory to lawful primary uses in a Single Residence District; and

1703.2.1.2. They do not affect the natural flow pattern of any watercourse.

1703.2.2. Dumping, filling, excavating or transferring of any material that will reduce the natural floodwater storage capacity or interfere with the natural flow patterns of any watercourse within this district is prohibited.

1703.3. The following uses, insofar as permitted in Single Residence Districts, are permitted as a matter of right, subject to the provisions of § 198-1703.2:

1703.3.1. Conservation of soil, water, plants and wildlife.

1703.3.2. Outdoor recreation, including play and sporting areas, nature study, boating, fishing and hunting where otherwise legally permitted.

1703.3.3. Proper operation and maintenance of dams and other water-control devices, including temporary alterations of the water level for emergency or maintenance purposes, and including removal of any and all flashboards of a privately owned dam to lower the water level so as to exclude from being covered by water any land that was not flowed or saturated prior to the erection of the dam.

1703.3.4. Grazing, farming, nurseries, truck gardening and harvesting of crops.

1703.3.5. Forestry.
[Amended 4-28-1986 ATM by Art. 25: paragraph deleted]

1703.3.6. Uses accessory to residential or other primary uses, such as flower or vegetable gardens, lawns, pasture or forestry areas.

1703.4. Any person desiring a permit to fill, excavate or transfer material or to erect or place a structure within the Watershed Protection District shall submit a written application to the Building Commissioner for a special permit for an exception, together with four copies of plans and specifications of the proposed work and plans of the premises on which the work is proposed. The Building Commissioner shall forthwith transmit the application, plans and specifications to the ZBA, the Board of Health and the Conservation Commission. No building permit shall be issued by the Building Commissioner, nor shall any of the work proposed be commenced, until the ZBA shall have issued a special permit under Article 6. [Amended 4-30-1975 ATM by Art. 28]

1703.5. Upon the issuance of a special permit by the ZBA for an exception, and subject to the conditions hereinafter specified and such other special conditions and safeguards as the ZBA deems necessary to fulfill the purposes set forth in § 198-1703.1, the following uses, structures and actions, as permitted in Single Residence Districts, are permitted:

1703.5.1. Duck walks and boat landings.

1703.5.2. Appropriate municipal use, such as waterworks pumping stations and parks.

1703.5.3. Temporary storage of materials or equipment.

1703.5.4. Dams, excavations or grading, consistent with the purposes of this § 198-1703, to create ponds, pools or other changes in watercourses for swimming, fishing or other recreational uses, agricultural uses, scenic features or drainage improvements.

1703.5.5. Driveways and roads.

1703.5.6. Any other filling, excavating or transferring of any material or erection, construction, alteration, enlargement, removal or demolition of any structure, upon the condition that, with respect to each such action and structure, the ZBA determines that granting a special permit therefor would not result in any substantial risk of pollution or contamination of any waterway or pond, substantial reduction of seasonal high-water storage areas, substantial reduction of groundwater absorption areas that serve the public water supply or other derogation from the intent and purpose of this § 198-1703.

1703.6. The portion of any lot in a Watershed Protection District may be used to meet the area and yard regulations for the district in which the remainder of the lot is situated.

1703.7. All water bodies encircled by the Watershed Protection District are hereby included within said district.

1703.8. Nothing contained in this § 198-1703 shall limit the authority of the Board of Health with respect to premises in the Watershed Protection District or limit the authority relative thereto of the Conservation Commission pursuant to MGL c. 131, § 40. [Added 4-30-1975 ATM by Art. 28]

VOLUNTEER TO SERVE YOUR TOWN

Vacancies on Town boards, committees and commissions occur from time to time. Most positions are appointed by the Board of Selectmen (see I).

Elected positions are usually filled at the annual April election, but if openings occur mid-term, they are filled by appointment until the next annual election. Registered voters, please indicate your interest in order of preference (see II):

I. Appointed boards, committees and commissions:

- ☐ Cable TV
- ☐ Cochituate State Park Advisory
- ☐ Community Preservation
- ☐ Conservation
- ☐ Council on Aging
- ☐ Cultural Council
- ☐ Dudley Pond Area Planning
- ☐ Fair Housing
- ☐ Finance
- ☐ Historical
- ☐ Historic District
- ☐ Housing Partnership
- ☐ Local Access Corporation
- ☐ MetroWest Open Space
- ☐ MWRA/Weston Aqueduct
- ☐ Nike Site Reuse Advisory
- ☐ Personnel
- ☐ Public Ceremonies
- ☐ Senior Tax Relief
- ☐ Septage Committee
- ☐ Station Two
- ☐ Surface Water Quality
- ☐ Taxation Aid
- ☐ Town Center Committee
- ☐ Wastewater Management
- ☐ Wayland/Sudbury Septage
- ☐ Youth Advisory
- ☐ Zoning Board of Appeals

II. Elected boards, committees and commissions:

- ☐ Assessors
- ☐ Health
- ☐ Housing Authority
- ☐ Library Trustees
- ☐ Park and Recreation
- ☐ Planning
- ☐ Road Commission
- ☐ School
- ☐ Selectmen
- ☐ Trust Funds
- ☐ Water

NAME:_____ ADDRESS:_____

HOME TEL:_____ WORK TEL:_____

Applications of interest will be kept on file for one year. You will be contacted as relevant vacancies occur.

Return this completed form to:

Executive Secretary
Town of Wayland
41 Cochituate Road
Wayland MA 01778

PLACE
STAMP
HERE

Board of Selectmen
Town of Wayland
41 Cochituate Road
Wayland MA 01778

TOWN OF WAYLAND
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